

# ORLANDO POLICE DEPARTMENT

COURAGE - PRIDE - COMMITMENT



**The Bowman Group**

Police Practices Experts

## A REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

August 23, 2021





## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

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In addition, this project could not have been completed without the significant contribution from the Orlando community, the Orlando Police Department (OPD), and the Orlando Chief of Police Orlando Rolón. We thank you and are grateful for your tremendous contribution to making this independent assessment reform project possible. We also acknowledge the efforts and contributions from the additional project staff with our partners, Effective Law Enforcement for All, Inc., AH Datalytics, and CNA Institute for Public Research.

### KEY ASSESSMENT TEAM

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### EXECUTIVE SUMMARY

Many cities across the United States are undergoing involuntary reviews of their police departments. The City of Orlando has taken a bold, proactive step in bringing in national experts for an in-depth look at the entire police department's operations. Some may challenge this decision as putting the City and police agency at increased risks by exposing problem areas and potential liabilities. Our experience is that bold, proactive steps like this often identify potential problems before they manifest into tragedies. When recommendations based on best practices are explored and adopted, risks are reduced, and community trust is increased. This kind of courageous leadership positions the City and OPD to exemplify national best practices and be the community that others look to emulate.

The City of Orlando heard from many residents who asked for a proactive review of the Orlando Police Department, and encouraged the City to strengthen efforts to address racial inequity in the Orlando community. In response, the City made immediate changes. For example, the City changed the standard for the use of chokeholds (which may not be utilized except in situations where deadly force is authorized) and no-knock warrants, added a requirement that officers employ de-escalation tactics to minimize the need to use force, and made other important updates to OPD's use of force policy. These recommendations for improvements are based on national standards, best practices, current and emerging research, and community expectations, and are designed to make even a good police department even better. OPD and the City must now strategically plan and complete an implementation strategy and schedule, although this may require effort, considerable resource investments, and multiple cycles, both presently and over time.

### COMMUNITY TRUST & EQUITY INITIATIVE

In September 2020, Orlando Mayor Buddy Dyer and City Commissioners joined together with Orlando Police Chief Orlando Rolón to announce the Community Trust & Equity Initiative, the City of Orlando's next phase of action to further community policing and reform in an effort to address racial inequity in the Orlando community. The City of Orlando is taking the initiative to address police-community tensions.<sup>1</sup> Mayor Buddy Dyer announced that this initiative is intended to make, "...meaningful change and take the next steps in building a more equitable city for every person who calls Orlando home." The Mayor also reaffirmed the City's "partnership with [the] community to continue to work together to end systemic racism and create an Orlando where every resident is equally valued, equally protected and has equitable access to opportunities."<sup>2</sup>

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<sup>1</sup> City of Orlando Community Trust & Equity Initiative: <https://www.orlando.gov/Our-Government/Mayor-City-Council/Buddy-Dyer/Mayors-Key-Priorities/Community-Trust-and-Equity-Initiative>

<sup>2</sup> <https://www.orlando.gov/News/Press-Releases/2020-Press-Releases/Orlando-Mayor-Buddy-Dyer-Announces-Community-Trust-Equity-Initiative>



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More specifically, the following outlines the background, strategic objective, and scope of the City of Orlando's Community Trust & Equity Initiative:

- Background – The goal is to develop implementable policing reforms from the perspectives of qualified consultants. The findings and recommendations of the President's Task Force on 21<sup>st</sup> Century Policing, enhanced citizen engagement with our community and other evidence-based work from around the nation will be the objective to implement the appropriate changes.
- Strategic Objective – Develop a plan for reforming community policing in Orlando by reducing racial disparities in use of force, searches, stops, arrests, etc., and re-establish broad based community mutual trust.
- Scope – The Police Department needs to continue to build trust with all communities and develop stronger partnerships for public safety. Policy and training must translate into Officer conduct in a uniform way throughout the Department to ensure community trust.

Through this process, the City of Orlando intends to take more action to ensure that OPD's policies, training, practices, and oversight and accountability translate into officers working better and together with the community, while also supporting Orlando police officers and helping them to better serve residents.

### NOTABLE EVENTS DURING THE ASSESSMENT

We are enthusiastic about the OPD's capacity for change and their path forward. As of the date of this report, the members of OPD's leadership are capable of serving as change agents for the Department. Additionally, the men and women of the OPD are committed to the agency, to one another and to the community they serve – as are OPD managers, supervisors, and personnel with whom we interacted. The Mayor, City Administrator, and Chief of Police were open and receptive to change.

During the assessment, the Chief and the City continued to take action to improve the Department and its relationship with the community. For example, the City took the initiative to develop and conduct a targeted survey to measure the customer experience with OPD. OPD also directed staff to take actions recommended by our subject matter experts throughout the course of the assessment process.

### ASSESSMENT PROJECT GOALS

The principal objective of this assessment, as mutually established by the City of Orlando and The Bowman Group, was to improve OPD policies, procedures, practices, training, and operations related to community engagement, community-oriented policing, accountability and oversight, transparency, and internal and external investigations. The recommendations for improvements are based on national standards, best practices, current and emerging research, and community expectations. Specifically, the City and the TBG agreed the initiative would address the following goals:

- ◀ Improve departmental accountability and oversight systems, processes, and procedures including use of force, internal affairs, community policing and engagement, stops, searches, and arrests, and early intervention systems.
- ◀ Conduct a review and assessment of the OPD's written internal affairs policies, procedures, and practices surrounding the intake and investigation of use of force incidents, internal and external complaints, training, data collection, accountability, and transparency.
- ◀ Improve departmental training across all levels.



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- ◀ Institute a community policing strategy to improve community engagement and sustain organizational change throughout the Department.
- ◀ Determine the current status of the Department in terms of police operations, policies and procedures, and assess whether the Department's operations are consistent with national best practices.

### ASSESSMENT APPROACH AND TEAM

The assessment team's methodology on this project was based on the core elements essential to supporting an independent and objective evaluation and analysis of police department management, administration, operations, and outcomes. In general, the assessment of each subject area involved the following:

- Rigorous document review including policies, Standard Operating Procedures (SOPs), training materials, procedures and practices, systems, and department files.
- Interviews and solicitation of multiple viewpoints from members of the community as well as of the Department and city government.
- Ride-alongs with officers and direct observation of personnel engaged with members of the community while addressing their duties.
- Analysis and review of available data and documents, either in full or through representative sampling.

A more detailed list of the specific material reviewed for each subject area is provided in the relevant sections of the report and the Appendix.

The Bowman Group assessment team included nationally recognized law enforcement subject matter experts in community engagement, community-oriented policing, procedural justice, accountability and oversight, transparency, use of force, complaint investigations, internal affairs, early intervention, training and supervision, ethics, and civil rights. The assessment team identified five key observations that cover a range of OPD's interactions with the community and operation.

### KEY OBSERVATIONS AND RECOMMENDATIONS

In this section, we'll provide an overview of these key observations, and a brief summary of our findings and recommendations in critical areas. The areas we cover here range in focus from the urgent need for reform in addressing community-oriented policing, as well as the need to strengthen OPD's use of force policies and procedures, increase data collection efforts, and prioritize strategic planning and organizational alignment across department operations.

Each of these areas are discussed more fully later in the report and the attached appendix documents. These key observations are supported in detail by findings, concerns, and recommendations in sixteen areas. These recommendations are opportunities for the City of Orlando and the OPD to guide the Department on the path towards true community-oriented policing and becoming a more progressive police agency.



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### KEY THEMES

Five principal needs related to OPD's policies, data collection, and accountability systems emerged during our assessment. These key areas require immediate attention within the Department:

- Thoroughly review and update all policies department-wide to demonstrate OPD's commitment to adhering to current best practices in policing, including procedural justice, impartial policing, community policing, and de-escalation.
- Strengthen OPD's accountability systems, including by making the use of force review process more robust, clarifying internal affairs practices, and better utilizing the Citizen Police Review Board.
- Increase data collection and analysis across all areas department-wide.
- Develop and implement a department-wide community policing philosophy and strategic plan.
- Strengthen community policing expectations and training across the Department.

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### KEY FINDINGS AND RECOMMENDATIONS

Below we briefly summarize some of the report's key findings and recommendations:

#### USE OF FORCE

A police department's use of force practices and accountability systems can have a significant impact on community trust. Police officers are among the few public officials authorized to use force, including deadly force, in their official capacity. The authority to use force, while broad, is not unlimited. It has long been understood that the Fourth Amendment places limits on the use of force by law enforcement. Even when the force used is constitutional, it can be contrary to the values of the community or the policies of a department, and even a small percentage of unnecessary or excessive uses of force can undermine trust and legitimacy in an entire department. The sole question under the Department's policy should not only be is use of force lawfully authorized, but it should include an assessment of whether it was appropriate under the circumstances and whether it could have been avoided through de-escalation or changes in tactics.

To gain insights into OPD's use of force processes and practices, the assessment team reviewed OPD's policy and training related to these areas, interviewed OPD personnel and community stakeholders, and reviewed a sample of use of force investigations, including body-worn camera footage and statements from officers and witnesses.



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Based on this review, we identified the following key findings and recommendations related to Use of Force:

**Finding:** The current OPD use of force policy does not include clear guidance on several types of force used by OPD officers, including the deployment of canines, the use of Electronic Control Devices (ECDs), and the use of chemical spray. Some common best practices, such as limitations on the number of ECD cycles officers should use and defining a canine bite as a serious use of force, are absent from OPD's policy. Gaps in OPD's force policy have contributed to the approval of questionable uses of force.

- **Recommendation:** OPD should make its suite of use of force policies more comprehensive and complete by drafting new weapon-specific policies and more thoroughly incorporating requirements that the use of force should be necessary, reasonable, and proportional to the threat encountered. (2)

**Finding:** Serious uses of force are inappropriately investigated at the district level and District-level investigations are often incomplete.

- **Recommendation:** Develop a specialized Force Investigation Team (FIT) to conduct comprehensive investigations of serious uses of force. (6)
- **Recommendation:** Create a Use of Force Review Board that will serve as a departmental quality control entity. In addition to ensuring that OPD is conducting objective and comprehensive use of force investigations, the Board will be responsible for assessing tactics, training, policy, and equipment needs.

## INTERNAL AFFAIRS AND OTHER ACCOUNTABILITY SYSTEMS

Internal Affairs is a key component in holding officers accountable when appropriate and building and maintaining community trust. The Internal Affairs function is one of the building blocks of Procedural Justice, Impartial Policing, and Community Policing. It is the responsibility of the Internal Affairs function to maintain a balance between the expectations of the Department's leadership, employee rights, and community expectations. In addition to OPD's Internal Affairs, Orlando has a Citizen Police Review Board (CPRB). A city ordinance grants the CPRB the authority to review a range of matters, including officers' use of deadly force, allegations of excessive force, and any complaint selected by majority vote of the Board for review.

To gain insights into OPD's internal affairs complaint and disciplinary processes and the CPRB, the assessment team reviewed OPD policy and training related to these areas, interviewed OPD personnel and community stakeholders, and reviewed records, including disciplinary outcomes, complaint forms, investigation files, and disciplinary records.

Based on this review, we identified the following key findings and recommendations related to internal affairs and the CPRB:

**Finding:** OPD's policies do not outline specific criteria for complaints to be assigned for a formal investigation versus supervisory referral and do not define general complaints. Supervisory referrals lack the specific investigative steps required for a formal investigations and findings are not assigned.

- **Recommendation:** Clearly define in policy specific criteria for formal investigations, supervisory referrals, and general complaints. (22)
- **Recommendation:** Require Internal Affairs to assign findings (outcomes or action taken) for supervisory referrals for tracking and analysis purposes. (26)



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**Finding:** The City of Orlando is under-utilizing the Citizen Police Review Board and intentionally narrowing its focus and role.

- **Recommendation:** Ensure the City of Orlando and OPD expands the role of the CPRB as a liaison to the community within the full scope of the Board's authority as outlined by City Ordinance. (34)
- **Recommendation:** Utilize the CPRB as a communication avenue to provide information to the community and build community trust. (35)

### COMMUNITY ENGAGEMENT AND COMMUNITY POLICING

Instilling a new ethic and commitment to community engagement and community policing requires clearly understanding the agency's existing capabilities in these areas and identifying the potential obstacles to prioritization. To gain this insight, the assessment team engaged in extensive discussions with community members and department personnel of all ranks including command staff and asked questions related to community policing efforts, strategies, and community engagement in all aspects of department operations. The team assessed the Department's overall receptiveness, understanding, and application of community-oriented policing and reviewed OPD policies and training from these perspectives. Team members also examined department-related memos and other directives beyond policies, and reviewed files, systems, and reports related to this area.

Based on this review, we identified the following key findings and recommendations related to community engagement and community policing:

**Finding:** While OPD participates in several positive community engagement activities, OPD's current approaches to community engagement appear to be siloed. The Department does not have a comprehensive strategic plan focused on community engagement.

- **Recommendation:** OPD needs to develop a comprehensive community engagement strategic plan and incorporate community policing as a department-wide philosophy. (111)
- **Recommendation:** Ensure consistent outreach and engagement across organizations, groups, and individuals. (124)
- **Recommendation:** Institute a geographic policing model.<sup>3</sup> (130)
- **Recommendation:** Create more regular non-enforcement interactions with community members. (132)

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<sup>3</sup> OPD can consider a geographic policing model, assigning officers to predetermined geographic boundaries. A main goal is to maintain these assignments over time to forge relationships with the community, apply problem-solving methods to reduce crime, and improve the overall quality of life.



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**Finding:** OPD does not currently train a community policing model or philosophy on community policing in their Orientation Program.

- **Recommendation:** Employ a community policing model or philosophy for recruits to learn. (167)

### STOPS, SEARCHES & ARRESTS

Building community trust and creating a culture of community and problem-oriented policing depends on basic steps such as prohibiting unlawful stops and arrests, preventing discriminatory policing and excessive force, ensuring public and officer safety, and enhancing officer accountability. None of this is possible without a strong policy system that articulates goals around impartial policing, the importance of building trust, and implementing procedural justice as key missions of the Department.

The assessment of the OPD Stops, Searches, and Arrests consisted of the following components: Review of relevant OPD Policies and Procedures, review of available data analysis and findings, and a review of random body-worn camera footage and corresponding documentation for arrests, traffic stops, and field investigations.

Based on this review, we identified the following key findings and recommendations related to Stops, Searches, and Arrests:

**Finding:** OPD's policies and procedures included 30 various policies, training bulletins, and operations manuals that have some guiding language for stops, searches, and/or arrests. Overall, the collection of policies and training bulletins represent an opaque hodgepodge of instructions and a very weak policy system that doesn't effectively incorporate guiding principles such as procedural justice, impartial policing, and community-oriented policing.

- **Recommendation:** Develop operational policies based on the guiding principles for every basic enforcement action OPD takes, including but not limited to: all stops, searches, and arrests, uses of force, engagement with the community, and investigative activities. Apply the least intrusive, most effective approaches to policies and practices. (38)
- **Recommendation:** Develop a set of policies concerning Fair and Impartial Policing that include guiding principles for all departmental operations to include: procedural justice, impartial policing, community policing, and de-escalation. (39)
- **Recommendation:** Institute the principles of procedural justice during traffic and pedestrian stops into operational practice. (45)

**Finding:** OPD fails to collect appropriate data regarding stops, searches, and arrests. OPD does not currently document and collect data on all stops and OPD does not require the documentation of Searches of any type.

- **Recommendation:** Require documentation of all stop and search types, including all warrantless search types. (42)



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### ORLANDO POLICE DEPARTMENT (OPD) STRENGTHS

Like police agencies across the country, the OPD's greatest assets should be the men and women who support and deliver its services to the residents and communities of Orlando every day. These employees are committed to the OPD and the City. Many are open to change and external assistance, to increasing transparency with the media and public, and to finding ways to advance reforms. However, to maintain the support of its employees and community, the City needs to make a much stronger commitment to fund and improve areas addressed throughout this report.

While we identified numerous areas where OPD needs to improve its operations, it is important to recognize the dedication and efforts of the OPD personnel, including the following key strengths we identified during this assessment:

- ◀ Community perceptions of OPD's community engagement as well as community policing efforts by OPD personnel have improved in recent years, particularly under Chief Orlando Rolón.
- ◀ OPD's Public Information Office has managed to grow its social media engagement with the community, balance the coverage of extensive protests following the death of George Floyd, and strengthen its relationship with the local media.
- ◀ OPD has laid a foundation for using analytics to drive decision-making and support open data engagement with their community. The City of Orlando has developed an open data website which allows the public to access datasets and create visualizations based on the data.<sup>4</sup>
- ◀ OPD has created and implemented a robust crime center that is staffed by crime analysts and detectives that has expanded departmental data-driven response capabilities.
- ◀ OPD's Internal Affairs' leadership and personnel are hardworking, supportive of each other and open to recommendations for improvement.
- ◀ OPD has the solid foundation of an early intervention (EI) policy and program, and after moving to EI Pro and implementing recommended reforms within this report, this EI program will be aligned to national best practices.

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<sup>4</sup> data.cityoforlando.netfile://localhost/about/blank



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- ◀ The OPD School Resource Section operates within known best practices in school-based policing models. The school-based policing best practices we found include:
  - Strong partnership with the Orange County Public Schools
  - Clearly defined and agreed upon role and function of School Resources Officers (SROs) regarding the law enforcement function versus the school administrative function
  - Clearly defined and thorough SRO selection process
  - SRO training and certification requirements including youth focused and special needs training
  - Cooperative campus safety planning
  - Commitment to safety, coaching, and mentoring to reduce enforcement
  
- ◀ OPD has created a community youth outreach coordinator position who coordinates various programs designed for the youth of the Orlando community. In addition, OPD partners with school and community organizations for youth related activities. Several of the youth programs fall under the direction and supervision of the School Resource Section.
  
- ◀ The City of Orlando, the OPD and the partnering community mental health center, Aspire, should be commended on their proactive approach to recognizing the need for alternative models of response to people in behavioral health crisis. They have collectively engaged in robust preparations to launch their first alternative response pilot.

This report on our evaluation of the Orlando Police Department is organized into sixteen (16) main topics related to our community engagement, document review, interviews, virtual listening sessions, policy and incident reviews. The first section provides findings and themes observed from our community outreach and stakeholder engagement. The next three sections discuss high priority areas, including use of force, internal affairs, and stop/searches/arrests (SSA). The next three sections include alternative response program, behavioral mental health, and technology, data collection and assessment tools. The following section reviews School Resource Officers and Family Parks and Recreation (FPR) and Community Youth Programs. We move on to the topics of recruitment and promotions, officer training, officer wellness, and the early intervention program. Finally, the last sections examine emergency communications dispatch and the City of Orlando's targeted community survey project. The final section provided in our evaluation of the Orlando Police Department considers our communications assessment and OPD's Public Information Office (PIO). Each section provides our general and specific observations and recommendations. In the high priority areas, we identify findings that require urgent attention. In other areas, we identify concerns and areas for improvement, as well as some of OPD's strengths. Each section of the report also has a supplemental Appendix that may offer deeper insight such as details of our analyses, approach, observations, and additional suggestions for reform.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### I. INTRODUCTION

The mission statement of the Orlando Police Department (OPD) is, “Keep Orlando a safe city by reducing crime and maintaining livable neighborhoods.”<sup>5</sup> Currently, the City of Orlando and OPD are executing a Community Trust & Equity Initiative, with the goal to develop implementable policing reforms. This effort includes an independent review of the Orlando Police Department. In addition, the City and OPD have committed to identifying areas where technical assistance or establishing data-driven processes may further the implementation of recommended reforms.

The final report seeks to identify how policing policies, practices, training, and accountability systems align with national best practices and potential obstacles to implementation of recommendations. The final report also provides insights or suggests technical assistance to implement recommendations and aims to assist the City and OPD in establishing a data-driven process to evaluate results critical to next steps related to the Community Trust & Equity Initiative.

We requested meetings and interviews with a range of stakeholders, including OPD’s leadership and personnel in Community Policing, Use of Force Investigations, Patrol District Stations, Early Intervention Program, Internal Affairs, Training Academy, Recruitment, Hiring, Promotions, Mental Health Crisis Response, Youth Programs, School Resource Officer Program, Technology, Department Communications, Citizen Police Review Board Liaisons, Criminal Investigations, Special Events, Critical Incident Response, and labor representatives. We conducted extensive public outreach and stakeholder engagement to seek feedback from the community on topics such as community trust and engagement, de-escalation and use of force, intercultural awareness, and bias. We also sought out feedback on specific types of police interactions, including interactions with School Resource Officers and interactions between police and people experiencing mental health crises.

This report provides final observations and recommendations regarding the evaluation of the OPD. The report will detail what we’ve learned from interviews, document review, data analysis, site visits focused on a number of key areas, including community policing, officer training, OPD’s response to people in crisis, use of force review, and OPD’s data and technology practices. Our recommendations in these sixteen areas strongly support the following goals:

1. Embrace Community Policing as a department wide philosophy.
2. Ensure force used is only that which is objectively reasonable, necessary and proportional to the threat.
3. Model procedural justice in the internal investigations process.
4. Apply the least intrusive and most effective constitutional approaches to conducting and aggressively monitoring stops, searches, and arrests.
5. Create and enhance partnerships to promote alternatives to incarceration.
6. Create and operationalize an effective mental and behavioral services model tailored to specified needs.

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<sup>5</sup> <https://www.orlando.gov/Our-Government/Departments-Offices/Orlando-Police-Department>



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7. Modernize technology, data collection and assessment tools.
8. Serve local youth and give them voice.
9. Embrace Family, Parks & Recreation as essential service delivery partners.
10. Implement a comprehensive recruitment and hiring strategy, reporting and assessment process.
11. Train personnel to support “guardian” style service delivery approach.
12. Provide proactive and responsive support to promote and sustain a healthy workforce.
13. Embrace an early intervention program to support employee retention.
14. Leverage communications services to enhance operational efficiency, and employee and community safety.
15. Understand the community’s perception of the value OPD services provide.
16. Leverage communication capabilities to advance 21<sup>st</sup> century policing.

This moment in history has brought urgent importance to this work. As communities across this country share in their collective grief, we all should be rethinking how policing should work and how it can work so that Black, Latinx, and other people of color feel and are safe. Doing this work effectively poses difficult questions for law enforcement officials as we grapple with the systemic problems that give rise to unconstitutional policing. Despite intractable challenges, our recommendations are intended to identify and offer remedies.

We believe Orlando’s leadership appears to be committed to identifying and correcting issues found in areas including OPD policies, training, supervision, and transparency. We thank the City of Orlando for its dedicated facilitation of our comprehensive review of the OPD. We commend the Chief of Police and OPD personnel for their professional cooperation. We thank the members of the Orlando community who have shared their experiences and insights related to OPD and policing reforms. Input from your community and workforce has informed this report’s findings, and have provided critical insights during the review of the OPD. Furthermore, the goals enumerated above support the mission of the Community Trust & Equity Initiative.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### II. COMMUNITY ENGAGEMENT & POLICING

Our team members engaged with stakeholders related to areas of the Community Trust & Equity Initiative. To obtain community input, we used three primary data collection source groups for identifying individuals from the community to speak with. The three source groups include: City of Orlando personnel, community groups and organizations with pre-existing relationships with OPD, and community members with demonstrated interest in OPD. This section covers these topics: community engagement, officer engagement, assessment of the public information office, and targeted customer experience surveys. Additionally, the assessment team conducted independent research into community groups and individuals that represent broad cross-sections of the Orlando community. From our contact with these groups and individuals, we employed a snowball methodology, requesting additional individuals and groups to reach out to for contact.

We have completed over 90 interviews and focus groups with OPD, other government personnel, community members and leaders, and community groups. This has included conducting virtual and in-person interviews with OPD field training officers and supervisors, OPD officers, the Citizen Review Board, and senior command staff of the Orlando Police Department. We coordinated virtual listening sessions (on 2/15/21 and 2/17/21 with 72 and 55 people, respectively) and interviews with community members, local officials, interest groups, attorneys, and Orlando police personnel.

Interviews and focus groups with additional community members continued in the months following these listening sessions, to include regular and ongoing dialogue with community leaders, members, and activists who have expressed a desire to have regular conversations over the course of this review. Furthermore, the assessment team conducted observations of community events held with OPD personnel and community members including youth groups. In the Appendix, we provide more detail about what we heard from community members, OPD officers, and others throughout the assessment. These themes and findings, however, may not represent the views of all community members and OPD personnel who engaged with the assessment team.

During interviews, we ask the community members questions related to OPD's approach to community engagement, areas where OPD's engagement is most effective, trust and perceptions of the OPD, and community recommendations and suggested areas for improvement for OPD's community engagement. Additional interviews are covering the following community members and groups, such as nonprofits/service providers (e.g., advocacy and community-based organizations such as victims' groups, service clubs, support groups, issue groups, advocacy groups, community development corporations); faith-based groups; youth groups; women's groups; private businesses (e.g., for-profit businesses, local chamber of commerce) and commuters.

While there were mixed opinions from community members about the status of OPD's overall engagement, there were a substantial number of community members who felt that the Department had made significant strides in recent years. Overall, we found that while OPD has increased its community engagement in recent years, the Department needs to further develop a comprehensive community engagement plan and incorporate community policing as a department-wide philosophy and program. Community members expressed concerns about a lack of transparency and accountability in numerous areas of OPD's operations. Both community members and OPD officers reported that they do not have opportunities to provide input on OPD policies. We recommend several steps OPD should take to address these and other concerns.

Progressive police agencies collect, analyze, and plan their community policing and crime strategies, which helps inform review, and improve these efforts for providing better policing services. We also heard community members describe numerous recommendations that they had made in the past. For instance, community members provided the assessment team documents showing recommendations they had previously been made to the City, including but not limited to enhancing pre-academy psychological evaluations, re-evaluating the use of force matrix, enhancing the Citizen Police Review Board, reducing zero-tolerance enforcement tactics, greater training input by the community, and increasing transparency for uses of force and accountability.



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A cursory review of this report should allow the reader to see that we have independently reached similar conclusions and have incorporated many of the same recommendations throughout this report. While the community members we spoke with were able to submit these recommendations, we heard frustration at the lack of response provided by the City. Community members recognized that there are individual officers who engage with the community on a level that is to their satisfaction. There was consensus, however, that most officers do not.

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### RECOMMENDATIONS<sup>6</sup>: COMMUNITY POLICING

#### POLICY

A police department's mission statement is a commitment to their overall focus and purpose in providing policing services, and flows downward through their vision and values, as well as through their department-wide strategic plan. Yet, OPD's current mission statement does not mention or focus on community policing, engagement, building or maintaining community trust or partnerships. While OPD partakes in several positive community engagement activities, OPD's current approaches to community engagement appear to be siloed, indicating a lack of a comprehensive community engagement plan. Should OPD decide to implement the recommendations found within this report, they should not do so piecemeal. Rather, when planning advisory groups, evaluation metrics, and identifying community representatives, OPD should undertake a meticulous evaluation as to how they will all be incorporated into a comprehensive community engagement plan.

- 1) Incorporate community policing principles, the community, and partnerships into OPD's mission statement.
- 2) Further develop a department-wide community policing strategic plan. Include action items, deadlines, measurements, and accountability components.
- 3) Ensure the mission and goals of the community policing units, programs, and operational strategies align with problem-solving techniques and feed into the Department's overall community policing philosophy and strategic plan.
- 4) Engage with officers and community members to discuss OPD's policies and training and allow opportunities for citizen input regarding policies and training when appropriate.

#### TRAINING

- 5) Communicate OPD's mission and goals, and the department-wide community policing philosophy, strategic plan, and program top down throughout OPD.

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<sup>6</sup> In general, throughout the report, recommendations are organized according to the following categories: Policy – Creating or amending General Orders, Standard Operating Procedures, organization rules and regulations that govern organization and individual practices, inputs, outputs and outcomes; Training: Formal and informal lessons and instruction designed to reinforce expected behavior and outcomes. May occur through mentoring, daily training bulletins, recruit, in-service or pre-service training, in person or by eLearning; Implementation: Taking action on or starting a program or process; Oversight/Accountability: Supervisory, management, and sometimes executive review and auditing activities, programs, products and outcomes against goals and expectations. Managing performance to achieve desired outcomes; and Data: Data collection, storage, analysis, and manipulation capabilities. Ability to apply data for predictive and evidence-based decisions. Value-enhancing technological solutions that optimize service delivery.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

- 6) Begin teaching community policing in the orientation program and develop scenarios to train and test recruits on community policing and engagement.
- 7) Provide ongoing in-service training for community-oriented policing topics.
- 8) Institute a broader training requirement for the CPRB, including the requirement of members to conduct regular ride-alongs with OPD members to better understand their activities.

### IMPLEMENTATION

OPD policies are provided online for community members to be able to view them, but no mechanism exists for providing input regarding policy recommendations on a regular basis. Additionally, there are no formal avenues for reviewing or providing input on training. While community members can attend the citizens' academy, which includes pieces of the training that officers receive, no mechanism exists for community member input on training during the development or delivery stages.

OPD and the City should also utilize the input of the police members who will be impacted by organizational change. In our conversations with OPD members, we heard that members have no current formal avenue for providing comments on policies or training. Nor did our conversations with OPD members reveal any formal structure for providing recommendations for improving overall operations or improving the Department's community engagement approach. While some members informed the team that they would be able to provide comments to their supervisors, they also noted that their suggestions might not make it "off the supervisor's desk."

OPD often responds in a helpful manner to organizational stakeholders seeking support and assistance but fails to proactively engage with these organizations to build meaningful relationships. Several organizational stakeholders expressed that the OPD has been helpful in responding to their requests for assistance. However, most of these stakeholders expressed that engagement with the OPD is often one-way, with community members asking OPD for assistance rather than mutually reaching out to one another.

OPD members consistently stated that community engagement is a priority but could not consistently define community policing. OPD members were able to readily identify some of the actions OPD takes to engage the community. This includes individual unit approaches, as well as sporadic street-level tactics, including handing out masks, gift cards, water, food donations, 7/11 Slurpee tickets, and other individual acts of engagement. However, despite the overall endorsement of community policing and some of the actions taken by OPD members, the assessment team was unable to identify a cohesive operational approach to community policing.

During our assessment, one thing that stood out is the overall lack of public advisory committees. Public advisory committees can provide avenues of formal community review and input into a range of OPD operations. For instance, many agencies have a training advisory committee who can provide guidance for the training division. Other agencies have working groups or committees dedicated to other issues, such as issues related to use of force. For example, several community members expressed concerns regarding OPD's use of force continuum with one member expressing concern that under the continuum, "verbal resistance allows pepper spray." By having a policy review committee, this issue could be reviewed on a regular basis utilizing community member input. The assessment team did not note evidence of these advisory groups in any formal capacity, creating concern that OPD is implementing reforms without consistent input from community stakeholders.

- 9) Conduct proactive outreach when aware that organizations are holding an event or program.
- 10) Integrate community policing and engagement into all OPD member's daily roles and responsibilities.
- 11) Consistently develop, track, and engage community partnerships.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

- 12) Have regular dialogue with the community on what its vision is for the role of police in the City of Orlando.
- 13) Ensure consistent outreach and engagement across organizations, groups, and individuals.
- 14) Consider holding workshops within the various patrol districts to solicit community feedback on trust building strategies.
- 15) Improve follow-up and implementation after collecting community input.
- 16) Ensure the concepts of procedural justice are part of police-community interactions including during traffic and pedestrian stops.
- 17) Institute fair and impartial policing principals into OPD's community policing and engagement strategies, and engage in efforts to increase actual and perceptions of accountability and transparency within the Department.
- 18) Institute a geographic policing model, assigning officers to predetermined geographic boundaries. A main goal is to maintain these assignments over time to forge relationships with the community, apply problem-solving methods to reduce crime, and improve the overall quality of life.
- 19) Engage in sincere community outreach efforts.
- 20) Develop and apply problem-solving metrics for measuring community policing efforts (see SARA Model – Scanning, Analysis, Response, Assessment). With the goal of solving the problem, the response must include a series of objectives (i.e., actions which if accomplished will contribute to solving the problem). The key is to establish each objective so that if it is accomplished, it will improve quality of life in some way while working to solve the problem.<sup>78</sup> Incorporate these problem-solving metrics into annual performance appraisals.
- 21) Ensure community policing efforts are data-driven, and that information-sharing regularly occurs across units, programs, and officers.
- 22) Consider establishing public advisory committees.

## OVERSIGHT & ACCOUNTABILITY

- 23) Plan, track, assess, revise, and follow-up consistently on community events.
- 24) Hold supervisors and their officers accountable for the community policing and problem-solving metrics.
- 25) Provide transparency with the community when possible, regarding department data, critical incidents and BWC footage, complaints, and their outcomes, and the Citizen Police Review Board.

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<sup>7</sup> Alpert, G. P., Flynn, D., & Piquero, A. R. (2001). Effective community policing performance measures. *Justice Research and Policy*, 3(2), 79-94. <https://doi.org/10.3818/JRP.3.2.2001.79>

<sup>8</sup> <https://popcenter.asu.edu/>



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### DATA

Many community members expressed that officers were inconsistent in their approaches to policing based on demographics and socio-economic status. Community members felt that officers were more heavy-handed in their enforcement practices in minority communities. Furthermore, community members felt that officers were more disrespectful in African American communities and communities of lower socio-economic status.

Community members expressed the desire for a stronger civilian oversight mechanism to prevent organizations comprised of former or current law enforcement from investigating OPD. Community members also requested more easily accessible data for arrests, officer-involved shootings, and officer discipline. Transparency builds trust and confidence. For example, the Department's Response to Resistance annual reports should be placed on the Department's website and be available for community members to review. Several community members note that OPD should track metrics more transparently, beginning with demographic data as it pertains to arrests and officer-involved shootings. Others called for increases in data for accountability, with several community members believing this to be important to community trust.

**26)** Develop a data system to capture information about its community policing activities. Collect data including bias free policing metrics on street-level interactions with community members. An effective system would build upon OPD's current data collection and reporting on community policing.

**27)** Integrate community policing data into analytics platform.

**28)** Use community policing data to ensure OPD's activities are aligned and communicated to the public.

**29)** Standardize race and ethnicity data collection across all systems. Specifically, race and ethnicity should be collected separately, and race categories should be standardized across systems and avoid use of outdated terminology.

**30)** Collect data including bias free policing metrics on street-level interactions with community members.

OPD can enhance transparency by providing data and information about officer activity, including arrests, use of force, traffic stops, and the accountability system. A department that wants to better understand community expectations must first understand the basic principles of Procedural Justice. Procedural justice refers to the idea of fairness in the processes that resolve disputes and allocate resources. It is a concept that, when embraced, promotes positive organizational change and bolsters better relationships.<sup>9</sup>

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<sup>9</sup> Final Report of The President's Task Force on 21st Century Policing 10 (May 2015) ("Research demonstrates that [procedural justice] principles lead to relationships in which the community trusts that officers are honest, unbiased, benevolent, and lawful"), [https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf).



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Procedural justice speaks to four principles, often referred to as the four pillars:

- Fairness in the processes
- Transparency in actions
- Opportunities for voice
- Impartiality in decision making<sup>10</sup>

Police departments must work constructively and collaboratively with the community to problem solve, and to increase community trust and confidence. Members of the community want to know that their police officers are working within the framework of Constitutional Policing. Given the importance of police-community engagement, OPD should develop a data system to capture information about its community policing activities. An effective system would build upon OPD's current data collection and reporting on community policing. This would ensure that OPD's different community policing activities are aligned and would allow the Department to communicate its engagement efforts more effectively to the public. This data should be integrated into the management analytics platform mentioned above.

Finally, OPD should develop a focused community engagement and policing plan. This should include a comprehensive written community policing and engagement plan, and expanded strategy to move away from narrow community engagement efforts. The Department should create a written communication strategic plan, expand policies and procedures, including those related to handling critical incidents and external messaging. We recommend that OPD prioritize addressing transparency in the following areas: OPD collecting and sharing data, public outreach, release of BWC footage following critical incidents, procedural justice efforts during traffic and pedestrian stops, strengthening the complaint process, and creating mechanisms for community and officer input on OPD's policy and training. The next section discusses use of force.

### III. USE OF FORCE

This section of the report provides our evaluation of OPD's use of force policies and practices. In our findings and recommendations, we identified significant gaps in OPD's use of force policy and force review process. These gaps resulted in the approval of questionable uses of force. As detailed below, we recommend that OPD develop more comprehensive use of force guidance for OPD officers and strengthen the force review process to ensure force used is only that which is objectively reasonable, necessary and proportional to the threat.

To conduct our initial assessment of Orlando Police Department's use of force practices, we reviewed the functions of the proposed Response to Resistance Unit, the Department's use of force policies and procedures, annual force reports, and other force-related materials. We also conducted interviews with relevant staff.

We completed our assessment by reviewing a sample of use of force investigations completed in 2019 and 2020. We reviewed 36 use of force investigations covering six use of force types: tackle/takedowns, strikes, deployment of ECDs, canine apprehensions, use of chemical agents, and impact weapons. According to OPD's 2019 Response to Resistance Summary Report, these types of force represent the majority of all uses of force by OPD officers.

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<sup>10</sup> See, generally, <https://cops.usdoj.gov/proceduraljustice>.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

For each use of force incident we assessed, we reviewed all available materials. This includes the supervisor's investigative report, any statements from involved or witness officers and civilian witnesses to the use of force, interviews of the person who was subject to the use of force, and any available photo and video evidence, including BWC footage. We also tracked OPD's internal review and approval process for each use of force we assessed.

We also reviewed administrative investigations of two officer involved shootings conducted by OPD's Internal Affairs unit. The criminal investigation of serious uses of force is handled by the Florida Department of Law Enforcement (FDLE). We requested completed officer involved shooting investigations for 2019 and 2020. Only two files were complete and available for our review.

Our key findings include the following:

- Serious uses of force are inappropriately investigated at the district level
- District-level investigations are often incomplete
- Gaps in OPD's force policy have contributed to the approval of questionable uses of force

In the following sections, we will discuss these key findings and our recommendations in more detail.

### **Serious uses of force are inappropriately investigated at the district-level**

OPD policy mandates that district level supervisors will investigate officers' uses of force that do not result in death.<sup>11</sup> As a result of this policy and practice, OPD supervisors are responsible for investigating serious uses of force. Our review of completed investigations included uses of force that should be considered serious. For example, the seven canine apprehension incidents that we reviewed all involved a canine biting the person who was apprehended. We also reviewed incidents where officers deployed more than 3 cycles of ECDs, struck a person's head, or struck a handcuffed person.

In the Use of Force Appendix, we provide detailed summaries of some of the 2019 and 2020 use of force incidents we reviewed, including examples of serious uses of force that were inappropriately reviewed by officers' immediate supervisors. These types of force should have been elevated to a more comprehensive investigation by a specialized team. Instead, they were investigated by officers' immediate supervisors and, in some case, were missing critical evidence. These serious uses of force require a more comprehensive investigation to determine whether the force used was necessary and consistent with OPD policy. This is a significant deficiency in OPD's force review process.

As discussed in the next section, OPD's practice of requiring immediate supervisors to investigate some serious uses of force is particularly problematic because these investigations are often incomplete.

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<sup>11</sup> Our review revealed that corporals conduct some of these reviews either in full or in part. Corporals are generally considered training officers and may occasionally stand in for sergeants, but do not generally assume the full responsibilities of sergeants. Given their frequent role in reviewing other officers' use of force, it's unclear what their job responsibilities are at OPD.



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### **District-level reviews are often incomplete, and gaps in OPD's force policy have contributed to the approval of questionable uses of force**

- District-level investigation often include statements from the involved and witness officers that are inadequate
- Some district-level investigations included incomplete witness interviews or did not have witness interviews at all
- District-level investigations were often missing photo and/or video evidence
- In some cases, the reviews were not conducted by the appropriate supervisor

Currently, Orlando's Policy 1128.17 requires supervisors to complete a Response to Resistance investigation and complete a Response to Resistance report when an officer uses specific types of force. Supervisors are required to "respond to the scene as soon as possible and interview all involved employees, witnesses, and subjects." Supervisors are also "responsible for reviewing, approving, and obtaining copies of all reports, affidavits, witness statements, and available video and audio recordings for inclusion in the Response to Resistance report."

We identified significant gaps in these district-level reviews. In the Use of Force Appendix, we provide detailed examples of some of the use of force investigations we reviewed that were missing critical evidence. Our assessment revealed that some involved and witness officers' force statements were inadequate. In the investigations we reviewed, officers typically wrote a "supplement" to document their use of force. OPD considers the officers' written supplementary reports to be official force statements. However, this form of reporting is generally inadequate and does not constitute a comprehensive stand-alone force statement for administrative use of force investigations.

In the force investigations we reviewed, supervisors sometimes failed to seek out non-involved witnesses or conducted perfunctory interviews of those witnesses when located. In numerous cases, critical evidence, such as body worn camera footage or photos of injuries, was not available. Yet, we did not review any instances where supervisors explicitly held officers accountable for failing to activate their body worn cameras. The Department's senior leadership approved most of the incidents we reviewed.

In some cases, it was unclear whether the appropriate supervisor conducted the investigation. We reviewed numerous investigations that were conducted in part or in full by corporals instead of sergeants. We also reviewed numerous investigations where a supervisor who was involved in the force action also investigated, reviewed, or commented on the use of force. A supervisor who is involved in the use of force should provide a written statement like any other witness officers. A non-involved supervisor should be responsible for conducting the investigation.

Finally, a comprehensive investigation should also include findings and assessments of all uses of force in every incident, but some investigations neglected to assess some of the officers' uses of force.

Substantial gaps in OPD's policies, including inadequate guidance on the use of ECDs and canines, have likely contributed to the approval of questionable uses of force by officers. Below, we provide recommended changes to OPD's policies, training, use of force data collection and analysis practices, and key steps to implementing a more robust force review process. We recommend that OPD adopt the recommendations detailed below. These changes will help ensure that officers receive appropriate guidance, supervisors effectively review officers' less-serious uses of force, all serious uses for force are fully investigated, and that any training, policy, or tactical deficiencies are identified and addressed.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### RECOMMENDATIONS: USE OF FORCE

#### POLICY

As a preliminary matter, OPD should strongly consider replacing “response to resistance” with “use of force” throughout its force policy, including the title, as well as in other affected policies and SOPs. Referring to all uses of force as responses to resistance presumes that, in every situation, an officer’s use of force was a warranted response to a civilian’s actions. Using this term sends the wrong message. It suggests that the Department has already concluded that an officer’s use of force was likely justifiable and necessary before any review or investigation has occurred.

Additional details guiding policy revisions are provided in the Use of Force Appendix. An overview of these recommendations include the following:

- 31)** OPD should consider highlighting its use of force priorities by beginning the policy with a set of core principles that highlight OPD’s priorities. These core principles will provide the foundation for the more detailed procedures and requirements in the body of the policy. While de-escalation should be incorporated throughout the policy, documenting that it’s a core principle at the outset sends a clear message that all uses of force will be viewed through this lens.
- 32)** OPD should develop separate weapon-specific policies, including for the use of ECDs and chemical spray.
- 33)** OPD should improve the structure and format of the policy and ensure that the definitions are complete.
- 34)** OPD should clarify who is authorized to use specific tactics and under what circumstances.
- 35)** As discussed in more detail in the implementation and accountability sections below, OPD should also strengthen the use of force policy to incorporate a more robust force review process.

Finally, as we discussed in the section on Community Engagement, OPD policies are provided online for community members to view them, but no mechanism exists for OPD to receive policy recommendations on a regular basis. In our conversations with OPD members, we heard that officers have no formal avenue for providing comments on policies or training. We urge OPD to engage with officers and community members to discuss OPD’s use of force policies and training and allow meaningful opportunities for them to provide input and feedback.

#### TRAINING

- 36)** OPD should provide use of force training for all officers on the completion of all updates to the use of force policy.

Additional recommendations regarding use of force training are provided in the Training section of the report.

#### IMPLEMENTATION

In this section, we provide guidance on specific steps OPD can take to implement a more robust use of force review process and ensure that officers’ use of force is reasonable, necessary, and proportional to the resistance encountered.

- 37)** OPD should require officers to complete formal force statements.



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As discussed above, in the incidents we reviewed, involved and witness officers typically wrote a “supplement” to document their use of force. These supplements should be replaced with formal, first-hand accounts of the use of force.

**38)** OPD should develop a Force Investigation Team (FIT).

OPD should conduct impartial, comprehensive investigations of serious uses of force and remove this responsibility from district-level supervisors. OPD can develop a specialized team to conduct these investigations. A FIT team provides a standard, comprehensive, and neutral investigative response to serious use of force incidents. FIT team investigations are conducted by individuals with a high level of expertise and investigative skill. The following are examples of serious uses of force that should be investigated by a specialized team: all firearm discharges, all uses of lethal force, all uses of force requiring hospitalization, resulting in injury or complaint of injury, head strikes with impact weapons, uses of force resulting in loss of consciousness, canine bites, choke/neck holds, ECD applications longer than 15 seconds, and all vehicle pursuits resulting in death, serious injury or injuries requiring hospitalization.

### OVERSIGHT & ACCOUNTABILITY

**39)** OPD should create a Use of Force Review Board.

Another best practice that OPD may utilize is incorporating a Use of Force Review Board (“UFRB” or “Board”) into the internal force review process. This Board can include voting and non-voting members who serve as subject matter experts, including the Training Director, Special Operation Commander, and Police Legal Advisor. Voting members of the board are senior command level rank (for example, Deputy Chiefs, Bureau Chiefs or equivalents). The FIT team’s investigative findings are submitted to the UFRB as recommendations during scheduled hearings. The voting members are responsible for determining whether the force was justified or unjustified. They may also determine that the investigation is incomplete and require additional information. This Board would enhance accountability in the use of force review process and serve as a departmental quality control entity. It would be responsible for assessing tactics, training, policy, and equipment needs that arise in use of force incidents and determine when investigations require additional information. A Use of Force Review Board ensures that force reviews are timely and comprehensive and provides the Chief with an ongoing internal assessment of use of force events. A well-functioning Board can add a critical layer of accountability.

**40)** OPD should require random audits of officer’s BWC footage.

OP Policy 1128.17 currently requires supervisors to review BWC footage following a use of force or other specific incidents. The Department’s policy requires supervisors to review BWC footage when a subordinate reports a response to resistance. The policy also requires supervisors to review recordings following other specific incidents, including injuries to a member or prisoner, and vehicle pursuits. However, the policy falls short of actually requiring supervisors to conduct regular, randomized reviews of footage. All patrol officers (and special units) should be equipped with BWCs. Reviewing and auditing BWC videos reassures the organization that its officers are engaging in constitutional policing practices. Random audits may provide the bases for training opportunities, equipment enhancements, and policy adjustments. OPD should require supervisors to conduct regular, randomized reviews of officers’ body worn camera footage. Reviewing and auditing BWC videos provides OPD with an opportunity to assess whether officers are engaging in constitutional policing practices. Police departments have embraced the necessity of auditing officers’ actions in order to ensure compliance with departmental rules, regulations, policies, and procedures. Orlando Police Department officers are equipped with BWCs and in-car cameras to help meet this goal.

**41)** OPD should audit its use of force practices for potential bias.



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As we noted in the Use of Force Appendix, it is notable that all seven K-9 bites we reviewed involved people of color: three involved black males, three involved Hispanic/Latino males, and one involved a black female teenager. We reviewed random incidents and did not assess the entire universe of K-9 apprehension that occurred in 2019 and 2020. However, we strongly recommend that OPD audit this issue further.

### DATA

In addition to reviewing OPD's use of force policies and a sample of use of force investigations, we also assessed the systems OPD uses to collect, analyze, and share use of force data. We recommend the following improvements:

- 42) Leverage the ability of the BlueTeam platform to report data out in a dynamic manner.
- 43) Integrate use of force data into analytics platform.
- 44) Expand annual use of force report and include use of force data in the current open data program.
- 45) Provide a more in-depth analysis of OPD's use of force data in the annual report by adding, for example, a breakdown of the incidents by race, gender, and age of subjects.
- 46) Ensure use of force data is accessible to the public through its open data program.

The above recommendations will help the Department thoroughly review individual officers' uses of force and self-audit the Department's use of force practices as a whole. They also support the Department's desire to look beyond basic legal requirements, by allowing the Department to incorporate considerations of whether officers should have used force at all and whether officers attempted to de-escalate situations to avoid the use of force. Moreover, by collecting and sharing more data on use of force practices, the Department can be responsive to community concerns about the lack of transparency. These are proven models that forward leaning departments are utilizing with great success in responding to and investigating use of force incidents.

While comprehensive use of force policies and a robust force review system are critical to transforming policing in Orlando, the Department must also take steps to ensure that its other accountability systems are thorough, well-defined, and utilized appropriately. In the next section, we'll discuss our review of OPD's Internal Affairs system and Orlando's Citizens Police Review Board.

### IV. INTERNAL AFFAIRS

This section provides an evaluation of OPD's Internal Affairs (IA) function, including complaint processing, complaint investigation, discipline system, and the process for addressing officers' grievances. In the Appendix, we provide additional details including an analysis of complaint data.

To conduct our initial assessment of OPD's Internal Affairs system, we reviewed relevant policies and procedures, job descriptions, the CPRB's policies and procedures and completed IA investigations. We also reviewed the City of Orlando's Collective Bargaining Agreement with Fraternal Order of Police (FOP) Orlando Lodge #25, and the Florida Police Officer Bills of Rights (POBR). The POBR dictates officers' rights and the processes agencies must follow when an officer is under investigation for allegations of misconduct. The CBA between the City of Orlando and the FOP outlines not only procedures required by the POBR, but further expands requirements for procedures to be adhered to regarding discipline, grievances, and arbitration rights. In addition to reviewing these documents, we interviewed IA staff, City of Orlando legal staff, and Citizen Police Review Board members.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

Internal Affairs is a key component in building and maintaining Community Trust. The Internal Affairs function is one of the building blocks of Procedural Justice, Impartial Policing, and Community Policing. It is the responsibility of the Internal Affairs function to maintain a balance between the expectations of the Department's leadership, employee rights, and community expectations.

The OPD Internal Affairs current staffing includes: one Internal Affairs Manager (Civilian), one Internal Affairs Sergeant, four Investigators, and two Administrative Staff. The Sergeant and Investigators are chosen from the Investigative Services Bureau allowing for the assignment of staff who are already trained and experienced detectives. Current job descriptions and job task analysis questionnaires were provided and reviewed for each position and were found to be complete. Investigators assigned to Internal Affairs receive training from experienced IA personnel and the IA Sergeant as outlined in the IA Internal Training Manual. The Manual is detailed and complete. OPD utilizes the industry standard finding designations of unfounded, exonerated, not-sustained, and sustained.<sup>12</sup>The IA Standard Operating Procedures follows the dictates of the CBA and the Florida POBR. Formal Investigations are detailed and complete. Investigation Reports are thorough and outline facts and evidence that support findings and outcomes.

There were numerous positive aspects of OPD's Internal Affairs system. However, there are several areas where OPD could improve its accountability systems. We identified the following key findings:

- Complaint process information is not on the Police Department homepage and not easily accessible without searching.
- OPD's policies do not outline specific criteria for complaints to be assigned for a formal investigation versus supervisory referral and do not define general complaints. Supervisory referrals lack the specific investigative steps required for a formal investigations and findings are not assigned.
- OPD's Mobile Video Recording Systems policy does not require officers' body worn cameras to be activated throughout the entire event, which limits the ability to effectively review officer conduct.
- The City of Orlando is under-utilizing the Citizen Police Review Board and intentionally narrowing its focus and role.

### **The IA policy fails to provide clear guidelines regarding how complaints will be handled.**

OPD has multiple avenues for citizens to file complaints including electronically, mail, and in-person complaint form. OPD also outlines the process for accepting anonymous complaints and other complaints without requiring a notarized complaint form. Complaint procedures and Citizen Complaint forms are available on the City of Orlando/Police Department website. However, complaint process information is not on the Police Department homepage and not easily accessible without searching.

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<sup>12</sup> A finding of "unfounded" indicates that evidence exists that the allegations are not true. A finding of "exonerated" indicates that allegations are true but the conduct was no a violation of agency rules/policies. A finding of "not sustained" indicates the available evidence can neither prove or disprove the allegations. A finding of "sustained" indicates that evidence exists that the conduct was in violation of agency rules/policies.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

OPD’s discipline policy outlines detailed procedures to address and investigate complaints against sworn members of the Orlando Police Department. The IA Standard Operating Procedures (SOP) outlines in detail the complaint process, including citizen complaint intake and complaint classification. However, both policies fail to provide a clear definition or guidelines regarding what types of complaints are subject to Formal Investigation versus Supervisory Referral.

OPD Internal Affairs supervisors provided the following breakdown of complaint classification for 2018 through 2020.

Table 1 Complaint Classifications 2018-2020

	Formal Investigations	Supervisory Referrals	General Complaints
<b>2018</b>	49%	14%	37%
<b>2019</b>	43.2%	14.3%	42.4%
<b>2020</b>	40.2%	31.2%	28.6%

Failure to have clear criteria for assigning complaints for formal investigation versus supervisory referrals can result in inconsistent investigations and the inability to track patterns of officer behavior and misconduct. Moreover, supervisory complaints do not receive an assigned finding or outcome. IA will document the response of the assigned supervisor, but they do not document the actions taken in a manner that allows for supervisory referrals to be analyzed for reporting purposes. Outcomes from supervisory referrals are only available by manual review of each file.

The policies also fail to define “general complaints.” General Complaints are always given a finding of “Unfounded.” These complaints are unfounded mostly due to review of officers’ body worn camera. However, a review of the OPD’s Policy 1140.6 on Mobile Recording System allows officers to deactivate the camera if the “initial incident that caused the activation has stabilized or at the time the member gives a verbal disposition to Headquarters.” OPD does not document verification that the event the citizen’s complaint is based on is completely captured by the BWC, or that BWC was deactivated but the incident was captured and still supports a finding of Unfounded.

The lack of clarity on how complaints are handled, and other concerns, came up during our conversations with community members. In order to fully implement an effective complaint system, OPD must ensure that the system is transparent and address concerns raised by members of the community. Several community members we spoke with indicated that OPD “does not take complaints seriously.” Citizens are afraid to file complaints for fear of retaliation and harassment by officers. Some felt OPD officers are not held accountable and OPD is not transparent about officer misconduct. We heard that complaints are not investigated, or citizens are not informed of the outcome of the investigation. The complaint process is not well explained and discourages citizens from filing complaints. Others expressed that OPD is not transparent about officer misconduct.

### OPD appeals have a high rate of success

OPD utilizes the practice of progressive discipline. For sustained complaints, discipline recommendations begin with the rank of Lieutenants who are provided officer past discipline history and similar violation discipline across the agency. Officer Appeals have a high rate of successful changes to the original findings/discipline in favor of the officers. This could indicate possible investigative issues or inconsistency in management decisions.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

Table 2 Officer Appeals 2018-2020

	Appeals	Findings/Outcome Changed
2018	18	9
2019	14	5
2020	6	5

The Grievance/Appeal Process is very detailed and specific regarding steps to be followed, timeframes, and responsibilities, as dictated by CBA and the POBR. The team checked to see if arbitrators are being unfairly biased toward officers/unions. Of the arbitration cases reviewed, 2 cases appear to indicate arbitrator bias in the decision making. The most prevailing trend in arbitration findings in favor of officers is “imposing discipline outside of the policy and/or matrix or relying on laws, regulations, or policies that do not clearly address the conduct at issue.”

### OPD underutilizes Citizens Review Board

The Citizen Police Review Board is governed by City Ordinance that authorizes the CPRB to review the following:

- Use of deadly force
- Alleged use of excessive force
- Any instance wherein police action results in death or serious bodily injury
- Any complaint referred to it by the Mayor, a City Commissioner, Chief Administrative Officer, Chief of Police or the Civil Service Board
- Any complaint selected by majority vote of the Board for review
- The Board shall review policies, procedures, rules, regulations, general or special orders pertaining to the use of force and police conduct toward the citizenry

It appears the City of Orlando is under-utilizing the Citizen Police Review Board. CRPB was informed that, although the Ordinance allows for the Board to review “any complaint selected by majority vote of the Board for review” and “policies, procedures, rules, regulations, general or special orders pertaining to the use of force and police conduct toward the citizenry,” the Board is still only allowed to look at just Use of Force. They may only review completed use of force investigations. We observed this at a CRPB meeting. Interviews with CRPB members revealed that several would like to expand the current role of the Board, including by serving as liaisons between the community and the police department.

In general, board members appeared satisfied with the involvement and work product of the Internal Affairs supervisors. However, Board members would like to have more timely information regarding completed cases in a consistent manner.

### RECOMMENDATIONS: INTERNAL AFFAIRS

#### POLICY

We have provided additional details regarding policy revisions in Internal Affairs Appendix. An overview of these recommendations include the following:

- 47) OPD should clearly define in policy specific criteria for formal investigations, supervisory referrals, and general complaints.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

As noted above, OPD's policies and procedures do not outline specific criteria for complaints to be assigned for a formal investigation versus supervisory referral and do not define general complaints.

**48)** OPD should include complaint types such as racial profiling, harassment, and excessive use of force as automatic formal investigations.

General Complaints are those that are reviewed by IA Investigators and deemed unfounded based on officer BWC or other video evidence that indicates that the officer's actions being complained about did not occur. Complaints regarding racial profiling, harassment, and excessive use of force should warrant formal investigation instead of falling into the "general complaint" category.

**49)** OPD should update its Mobile Video Recording Systems policy to require body worn cameras to be activated throughout the entire event in order to document clear verification that the event the citizen's complaint is based on is completely captured by the BWC to support the finding of Unfounded.

### TRAINING

**50)** OPD should ensure specialized training and IA certification for all Internal Affairs Detectives.

### IMPLEMENTATION

We recommend that OPD take the following steps to improve its complaint process:

**51)** Ensure that the citizen complaint process is easily accessible to the public. Include creating a link on the OPD homepage, social media posts outlining the procedures, informational pamphlets in all OPD facilities accessible to the general public.

**52)** Require Internal Affairs to assign findings (outcomes or action taken) for supervisory referrals for tracking and analysis purposes.

**53)** Assign an additional IA Investigator specifically to manage supervisory referrals and general complaints. This investigator should be responsible for tracking and reporting of these complaint types.

**54)** Ensure complainants are informed about investigation assignment (formal, supervisory referral or general) and should document all contact.

**55)** Improve communication with the community regarding complaint status and outcomes and officer accountability efforts.

**56)** Provide community members with an initial notification of the decision to investigate their complaint, and provide regular updates during the complaint investigation, including a final notification of the outcome.

**57)** Consider discussing with the FOP agreed upon options to streamline the appeal/grievance procedure.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### OVERSIGHT & ACCOUNTABILITY

OPD utilizes the practice of progressive discipline<sup>13</sup> and IA provides discipline histories and discipline precedent information to supervisors for discipline decisions. Officer Appeals have a high rate of successful changes to the original findings/discipline. While some arbitrator bias was revealed, the most prevailing trend in arbitration findings in favor of officers is “imposing discipline outside of the policy and or matrix or relying on laws, regulations, or policies that do not clearly address the conduct at issue.” Moreover, Policy 1140.6 Mobile Recording Systems allows for officers to deactivate their BWC and does not require entire events to be recorded.

- 58)** Require supervisors to document the action they take in response to complaints considered supervisory referrals and monitor and analyze this data.
- 59)** Regularly review and revise policy or provide training to correct any deficiencies discovered.
- 60)** Conduct a complete analysis of Appeals/Grievances and Arbitration to look for trends that have resulted in changes to original discipline recommendations and arbitration decisions against the OPD.

### CITIZEN POLICE REVIEW BOARD

It appears the City of Orlando is under-utilizing the Citizen Police Review Board and intentionally narrowing its focus and role.

- 61)** Ensure the City of Orlando and OPD expands the role of the CPRB as a liaison to the community within the full scope of the Board's authority as outlined by City Ordinance.
- 62)** Utilize the CPRB as a communication avenue to provide information to the community and build community trust.

Internal Affairs is an essential element of ensuring individual and agency accountability, ensuring compliance with department policy, promoting public confidence, and protecting the due process and procedural justice interests of officers. The diffusion of these functions can reduce accountability, makes it more difficult to ensure consistency, and interferes with the ability of the agency to use the internal affairs, use of force, and critical incident review processes to identify needed changes in policy, training, tactics, supervision, or hiring practices. These recommendations should strengthen departmental accountability mechanisms and offer greater independence to Internal Affairs Division within the Department, including reduced dependence on the chain of command to identify incidents for review and increased capacity to initiate investigations. Section V examines stops, searches, and arrests.

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<sup>13</sup> “Progressive discipline” is an employee disciplinary system that provides a graduated range of responses to employee performance or conduct problems.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### V. STOPS, SEARCHES & ARRESTS

Our review included an evaluation of the Orlando Police Department stops, searches, and arrests functions. To conduct our assessment we reviewed relevant policies and procedures, which included 30 various policies, training bulletins, and operations manuals that were identified as having some guiding language for stops, searches, and/or arrests. A list of these various documents is provided in the Appendix. We also reviewed available data analysis and findings.

In addition to the policy review and data/technology assessments, body worn camera files from traffic stops, field investigations, and arrests were randomly selected for review. As noted earlier, Policy 1140.6 Mobile Recording Systems allows for officers to deactivate BWC and does not require entire events to be recorded. OPD Stop, Search, and Arrest practices could not be objectively assessed based on BWC reviews due to inconsistencies allowed by Policy 1140.6 Mobile Recordings Systems

Based on this review, we identified the following key findings related to Stops, Searches, and Arrests:

- Overall, the collection of policies and training bulletins represent an opaque hodgepodge of instructions and a very weak policy system that doesn't effectively incorporate guiding principles such as procedural justice, impartial policing, and community-oriented policing.
- OPD fails to collect appropriate data regarding stops, searches, and arrests. OPD does not currently document and collect data on all stops and OPD does not require the documentation of Searches of any type.

The policies on stops, searches, and arrests are difficult to find and provide almost no information to members of the public about what OPD members actually do when engaging in enforcement actions.

#### **OPD's policies on stops, searches and arrests are inadequate.**

If we believe, as OPD should, that creating trust is a bedrock principle of its relationship with members of the public that the Department serves, this approach to policy should be considered a non-starter. Work across the country involving police departments under consent decrees demonstrates that building community trust and creating a culture of community and problem-oriented policing depends on basic steps, such as prohibiting unlawful stops and arrests, preventing discriminatory policing and excessive force, ensuring public and officer safety, and enhancing officer accountability. None of this is possible without a strong policy system.

To the extent that policies on key activities such as arrests and searches exist in the OPD materials, they are found in training bulletins rather than policy. A training bulletin, which is by definition a summary statement of the latest law pertinent to enforcement action, cannot be a policy. Moreover, with respect to the key goal of informing the public concerning basic standards, goals, and accountability processes, a training bulletin is clearly inadequate.

An effective system requires a department to clearly articulate its goals around impartial policing, the importance of building community trust, and implementing procedural justice as a key mission of the Department. The Department must have strong policies around accountability and supervision, which in turn require strong, transparent and clear data collection, analysis, and public access. Finally, instead of simply articulating the process for how officers should undertake key enforcement tasks such as stops, searches, and arrests, the Department should incorporate clear policy goals. OPD's policies exhibit almost none of these key characteristics for building community trust.

## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

A complete data and technology assessment was also conducted and will be discussed in more detail in a later section of this report. It is worth noting that OPD’s arrest data is the most complete data set for immediate analysis. Overall Arrest Data for 2015-2019 indicated that more than half (55.8%) of arrested were non-Hispanic Black compared to US Census estimates of 24.5%.

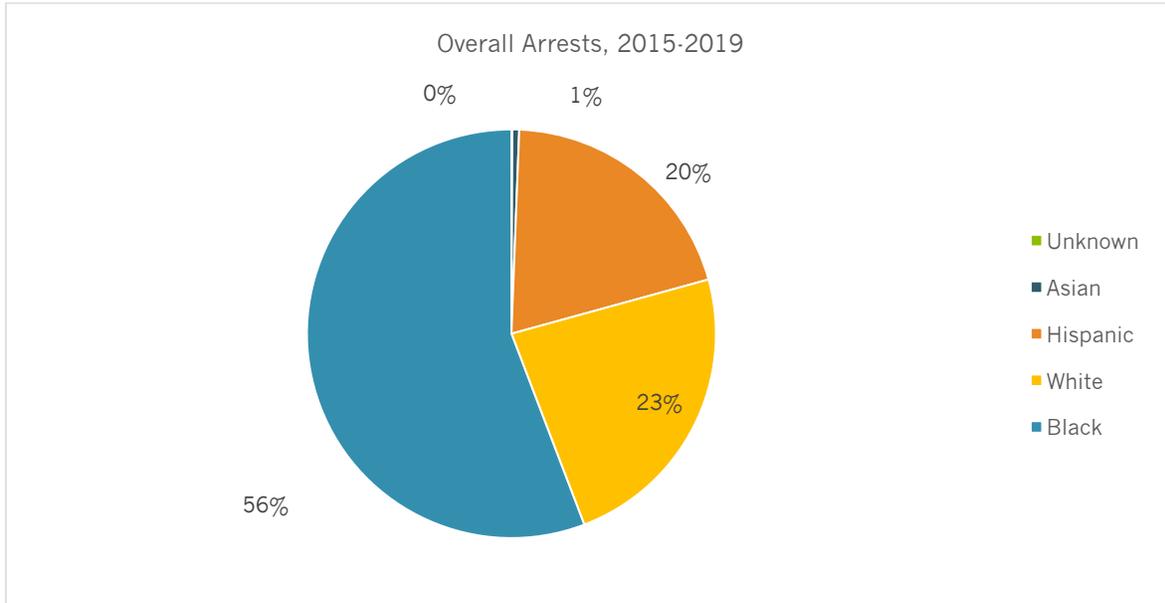


Figure 1 Overall Arrests 2015-2019

### RECOMMENDATIONS: STOPS, SEARCHES & ARRESTS

#### POLICY

As discussed above, we concluded that OPD’s collection of relevant procedures represents a very weak policy system as guiding principles for the stops, searches, and arrests functions. First, the policies are not transparent either to the officers who must carry out these policies or to the people subject to them. Second, most of the policies simply articulate how a particular practice should be carried out rather than articulating goals for the policy and the ways in which those goals are aligned with OPD’s mission. There is little articulation of OPD’s standards for carrying out enforcement actions as distinct from baseline constitutional law compliance. Third, very few of the policies specify what information officers should document during stops, searches, and arrest and none articulate the process and standards for supervisory review. Finally, some of the individual policies are quite good and represent best practices – for example, OPD’s policy on Engaging with Transgender Persons and Gender Non-Conforming Persons. However, other policies, such as the policy on Domestic Violence, are outdated.

Additional details regarding policy recommendations for stops, searches, and arrests are provided in the SSA Appendix. An overview of these recommendations include the following:

- 63)** Develop operational policies based on the guiding principles for every basic enforcement action OPD takes including but not limited to: all stops, searches, and arrests, uses of force, engagement with the community, and investigative activities. Apply the least intrusive, most effective approaches to policies and practices.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

- 64) Develop a set of policies concerning Fair and Impartial Policing that include guiding principles for all departmental operations to include: procedural justice, impartial policing, community policing, and de-escalation.
- 65) Update Policy 1140.6 Mobile Recordings Systems to require BWC uninterrupted activation for the totality of defined events.
- 66) Expand the data collection policies with respect to stops and searches so that data on all such incidents, rather than only those that originate with a traffic stop or directed by an investigation, is collected.

### IMPLEMENTATION

In this section, we provide guidance on specific steps OPD can take to implement stop, search, and arrest policies and practices that help build community trust and are consistent with the goals of impartial policing and procedural justice. OPD currently fails to collect appropriate data regarding stops, searches, and arrests. The most complete data set is arrests. OPD does not collect data on all stops, the available data is limited and incomplete and OPD does not require the documentation of searches of any type.

- 67) OPD should require documentation of all Stop and Search types including all warrantless search types.
- 68) OPD should collect and analyze stop data to include: reason for stop; race/ethnicity; gender; subject type (should include: driver; passenger; pedestrian; suspicious person; complainant; and witness); search or pat down (should include: consent; reasonable suspicion; subject to arrest; and vehicle); outcome of search; and disposition/outcome of stop.

OPD should specify which person within a vehicle was stopped, searched, or arrested during an encounter.

### OVERSIGHT & ACCOUNTABILITY

In order to improve oversight and accountability of stops, searches, and arrests, OPD Policy 1140.6 Mobile Recording Systems should be revised. It currently allows officers to deactivate their BWC and does not require entire events to be recorded. OPD Stop, Search, and Arrest practices could not be objectively assessed based on BWC reviews due to inconsistencies allowed by Policy 1140.6 Mobile Recordings Systems.

- 69) OPD should conduct random audits of BWC and review against SSA documentation.

### DATA

The Appendix provides a detailed analysis of the data OPD currently produces and outlines the significant gaps in the data collected. The data available for arrests, the most complete dataset available, suggests that there may be evidence of racially biased policing in OPD's enforcement actions.

- 70) Conduct a complete analysis of arrest data against internal benchmarks for possible racially biased policing actions.
- 71) Regularly report and analyze stop and search data to identify and monitor trends.

OPD Policies and Procedures regarding Stops, Searches, and Arrests are weak and incomplete. The current organization of policies and training bulletins does not provide overall clear guidance. Policies and Procedures do not outline clear documentation guidelines or supervisory review. Section VI covers the alternative response program.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### VI. ALTERNATIVE RESPONSE PROGRAM

Our review of alternative response to individuals in crisis included the Crisis Intervention Team (CIT training and program), suite of OPD policies addressing crisis response, OPD's alternative response pilot (launched in February 2021 prior to auditors' formal recommendations), and overall opportunities and recommendations regarding justice and behavioral health program initiatives to strengthen 21<sup>st</sup> century policing practices. In this section, we assess OPD's initiative for responding to people who are in behavioral health crisis. We provide additional details on this program in the Appendix.

The City of Orlando, the OPD and the partnering community mental health center, Aspire, should be commended on their proactive approach to recognizing the need for alternative models of response to people in behavioral health crisis. They have collectively engaged in robust preparations to launch their first alternative response pilot.

The City has engaged community partners to listen to their concerns, and what *they* most want to see. This is a critical component of any successful pilot, listening to those who have been most affected by negative police interaction. The City has researched other successful models across the country to help inform their own pilot. The Cahoots model in Eugene OR is one such model, which has gained national attention.

The City has also done a nice job gathering initial data to inform the pilot including such things as: the number of calls for service that *may* involve a mental health component (see previous recommendations). While the call codes that were used will need to be re-assessed as the pilot continues, the City has been thoughtful about defining the call codes that will be utilized to begin the pilot, and the disposition data that will be captured to inform outcomes.

There has been some media coverage of the pilot, as indicated by some of our conversations, however the theme the auditors heard was there is going to be a program launched but were unable to report additional information. Robust community engagement through key community meetings, and all forms of media, would be important additional considerations.

Alternative uniforms and vehicles have been considered for the pilot, which is useful. Stigma is exacerbated when marked police vehicles and regular police uniforms show up on scenes where someone is calling for help due to a mental health crisis. Not only are people embarrassed to have a police car in front of their homes, but uniformed police can also escalate a situation with someone in behavioral health crisis. A "softer" approach through non-traditional uniforms and vehicles is a good approach to consider.

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### RECOMMENDATIONS: ALTERNATIVE RESPONSE

#### IMPLEMENTATION

The City and the OPD have worked closely with Aspire on the coordination of the pilot and have done initial training with telecommunications on protocols for identification and dispatch (see recommendations for strengthening this). Financial support has been allocated to fund the program through an Memorandum Of Understanding with Aspire, highlighting the commitment and priority by the City and the OPD. There appears to be a good working relationship between the OPD and Aspire, which is foundational to success.

**72)** Develop telecommunication specific (8 hour-3 Days) CIT, or include telecommunications in 40-hour CIT.

**73)** Prioritize response of CIT officers (under new model, not as it is today) to calls for service involving a mental health component.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

- 74) Develop a system for identifying mental health calls at 911 and at OPD (consider adding an alpha character to the clear code).
- 75) Embed citizen facing social worker to divert non-emergency calls.
- 76) Consider adding one additional team to the pilot and continue to monitor trends to inform further expansion.
- 77) Consider adding one real time co-response team (models vary but can include pairing a clinician, paramedic, PEER {person with lived experience} with a soft uniform CIT officer, unmarked vehicle, position description co-developed, co-interviewed, co-housed).
- 78) Consider adding one Justice Involved Case Management Team (1 clinician and 2-3 case managers to focus on proactive outreach to high frequency utilizers, warm hand-off post release from jail and from Baker Act hospitalizations for continuity of treatment).
- 79) Consider adding one case manager inside the jail to cross check daily booking report and community mental health center database. This is important to expand data collection including what crimes are being committed (city ordinance, misdemeanor, felony), how long they are spending in the jail and at what cost, assist with continuity of medications inside the jail, coordinate court appearances and warm hand offs out of the jail. This data is extremely useful to expand jail diversion efforts. (See Appendix for more information)
- 80) Consider hiring a data analyst, either internal or externally-contracted, such as with a local university.
- 81) Develop and execute a public education campaign.

The next section provides additional discussion and review of mental and behavioral health and OPD's CIT program.

## VII. MENTAL AND BEHAVIORAL HEALTH

It is commendable that OPD recognizes the value of the training and skills necessary for response to people in crisis. Mental Health First Aid (MHFA) was prioritized in 2018, with 100% of OPD trained, a solid foundational component endorsed not only by the International Association of Chiefs of Police (IACP) One Mind Campaign but is also a good overall educational tool to orient officers to signs and symptoms of mental health conditions, and responses that are often different from traditional police training. Additional training like Fair and Impartial treatment and Verbal Judo also complements the important skills necessary for 21<sup>st</sup> century policing. The Orlando Police Department has expressed an interest in new law enforcement training called Active Bystandership for Law Enforcement (ABLE). This course will provide a Train-the-Trainer curriculum designed for departments where effective active bystandership can be taught. Communities and law enforcement agencies are recognizing that first responders must do a better job intervening when necessary to prevent their colleagues from causing harm or making costly mistakes. The Department was accepted into the ABLE program in December 2020.

CIT has had a presence in Orlando since 2014. Not uncommon, the participation by OPD in the program has ebbed and flowed depending on department leadership and turnover in OPD assignment to the program. Presently, there is support from many local law enforcement entities, including OPD and the state academy to continue to promote and strengthen CIT. Because of this support, there are several conversations presently occurring on how to offer more classes. There is conversation occurring among different law enforcement entities about moving to a mandated model, requiring at a minimum all patrol officers to be prioritized to complete the full 40-hour training. Presently, all SRO's are mandated to be CIT certified, and they are nearly at 100%. Within OPD, the crisis negotiations team is also required to be certified in CIT.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

Overall OPD can develop the Department's Mental Health Crisis Response by establishing a robust Steering Committee of a reasonable size, to include cross-discipline key strategic partnerships. The Department should also conduct thorough policy review and revisions, including input by key city and community entities. Presently, the CIT specialized response is relatively weak, with telecommunications unaware of who is CIT certified resulting in asking over the air if a CIT officer is available. Because officers have to self-identify over the air, and are too often on other calls, response by a CIT officer to these calls is unreliable. We recommend the OPD and City of Orlando establish clear criteria for dispatch to identify mental health crisis response calls and improve the process for making sure dispatch knows which officers have been certified to respond to people in crisis. Also, a CIT training strategy should be developed so implementation and budgeting plans can be established, and systems to better track data on crisis response.

Telecommunications has no roster of CIT officers on duty, so there is presently no automated way to prioritize dispatch of Mental Health calls for service to CIT trained officers. This is problematic and needs to be addressed as part of an overall robust strategy.

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### RECOMMENDATIONS: MENTAL AND BEHAVIORIAL HEALTH

#### POLICY

It is recommended that key community partners, advisory committee members and people with lived experience be included in the policy review and revision process to ensure consistency across organizations and that best practices, including person-first language are being utilized. After consideration of comments and suggestions, final decision making and enactment will be given to OPD, reflective of the needs of the Department. Policies should be reviewed annually, with stakeholder input. The review does not mean policy changes need to be made annually, but it does help ensure they are still aligned with training, operations, and ongoing development of alternative response programs.

**82)** Revise CIT policies significantly, including input from key city and community entities.

**83)** Establish clear criteria for dispatch to identify these calls.

**84)** Develop a protocol for telecommunications to know which officers are CIT certified, without having to request units over the air.

#### TRAINING

Because of the nature of CIT training, which requires diverse community-based experts to deliver the curriculum, constraints on outside resources will need to be addressed. A collaborative approach, rather than siloed efforts by local law enforcement agencies to meet their individual needs—is recommended. While there may be distinctions among the needs of agencies, including stronger emphasis in some areas (ex: youth for SRO's, scenarios specific to jail based settings, etc.), these can be accomplished with a cohesive strategy.

**85)** Develop a CIT training strategy so implementation and budgeting plans can be established.

#### IMPLEMENTATION

The most resounding feedback the auditors received across all entities interviewed was the need for a robust, integrated, multi-disciplinary steering committee. The auditors strongly agree that this is a requirement, serving as a foundation for any successful, non-siloed delivery of alternative response programs, not just CIT. This kind of steering committee shares critical data, identifies gaps in services, and informs necessary program expansion and success.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

Beyond strengthening CIT efforts, this group can also make recommendations on jail diversion programs, specialty court collaboration, intensive case management teams for justice involved individuals and other alternative response programs to people in crisis.

- 86)** Develop a CIT strategy best suited for Orlando and OPD-Commander leadership, along with front line CIT team members and informed by the Mental Health Consortium.
- 87)** Establish a robust steering committee to include cross-discipline key strategic partnerships.
- 88)** Consider a specialized unit of voluntary CIT officers who would be utilized for higher level crisis calls and for follow up on high frequency first responder utilizers, if OPD moves to a mandatory CIT model.
- 89)** Develop a CIT coordinator position description, to include the process used in identifying voluntary CIT officers, plus adding considerations with rank, education, and experience.

### OVERSIGHT & ACCOUNTABILITY

- 90)** Develop a formal CIT report that includes: Demographics, Behavior Observed, If weapons were present (and what type), Whether or not officer is CIT, Disposition (resolved on scene, transported voluntary, Baker Act, Arrest), and Arrest type (city ordinance, misdemeanor, felony non-person, felony person), and Use of Force type.

### DATA

It is imperative that data collection and analysis is coordinated at all levels, including partnering organizations to inform program assessment and strategic planning/alignment, while also reducing silos. Data reporting should be shared with the mental health consortium regularly and used to inform system gaps and needs. OPD has officers who are trained in crisis intervention (CIT), but the Department cannot currently track whether a CIT-trained officer was on the scene of a crisis-type call. OPD should systemically track the deployment of CIT-trained officers so that the Department can ensure that the appropriate officers are deployed to crisis incidents. OPD has a specific signal code for incidents involving someone in a mental health crisis. OPD is considering expanding the use of signals and dispositions to better track its CIT-related work. OPD also is working on pulling data from the new Record Management System (RMS) to track an incident's narrative as it pertains to mental health. These steps would help strengthen the Department's CIT-related data, which could then be communicated throughout the Department (through management analytics) and to the public.

- 91)** Create or improve existing data collection measures to capture intervention used, officer, and individual data.
- 92)** Integrate crisis intervention data into analytics platform.
- 93)** Use crisis intervention data to identify high-risk individuals and understand how these calls are responded to
- 94)** Systemically track the deployment of CIT-trained officers so that the Department can ensure that the appropriate officers are deployed to crisis incidents, by expanding CAD event information using call type, unit type, and disposition. Alternatively, more robustly capture information on calls with people experiencing mental health crises through a separate data collection instrument either incorporated into the RMS or as a standalone.
- 95)** Determine and execute robust data collection both internally and externally relating to CIT.

The next section provides an overview of the data assessment conducted in conjunction with this evaluation of the OPD. Additional details are also included in the Technology, Data Collection and Assessment Tools Appendix.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### VIII. TECHNOLOGY, DATA COLLECTION & ASSESSMENT TOOLS

The Orlando Police Department has laid a foundation for using analytics to drive decision-making and support open data engagement with their community. The City of Orlando has developed an open data website ([data.cityoforlando.netfile://localhost/about/blank](http://data.cityoforlando.netfile://localhost/about/blank)) which allows the public to access datasets and create visualizations based on the data. OPD offers several datasets through this open data initiative, including:

- Crime Data – Lists the UCR Part 1 and 2 crimes by year, location, case offense category and type, case disposition, etc.
- Calls for Service – Lists all calls for service regardless of who initiated the call; includes the incident number, incident date/time, location, type, disposition, and status.
- Officer-Involved Shootings – Lists all officer-involved shootings since 2009; includes incident data (date/time, location, number of officers involved), officer data (name, race, ethnicity, age, sex, tenure), suspect data (name, race, sex, age, weapon), whether anyone involved was injured or killed, and a link to the State’s Attorney review letter.
- Response to Resistance – Data from the Response to Resistance reports includes the number of officers involved, officer and offender race/ethnicity/sex, whether the officer or offender were injured or received medical treatment, whether the offender was arrested, whether witnesses were involved, and what type of force the officer used.
- Hate Crimes Data – Data regarding hate crimes incidents.

As noted in the Stops, Searches, and Arrest section, the biggest deficit in data collection is concerning the lack of holistic and comprehensive data collection related to all stop and search activities. Some form of data is collected with respect to most aspects of work performed by the Orlando Police Department, but collection is frequently incomplete or performed in a manner that does not facilitate further analysis. Modern police departments build strong data environments to enable leadership to make well-supported decisions and inform their community about issues of importance. As such, the Orlando Police Department would benefit from strengthened data collection processes and better integrating data into a centralized management analytics platform.

Improved data collection and a centralized analytics platform is needed for Orlando Police Department management to implement data-driven strategies and allow the Department to communicate its successes and challenges to the community it serves. Further strengthening the Department’s online portal is a critical piece for improving transparency and building trust with the community. OPD’s ability to use analytics to drive management decision-making and to support open data are analyzed within this section. This needs assessment set out to evaluate:

- How data is used in the Orlando Police Department
- What datasets or data points are needed to achieve the goals of the Department
- What datasets or reports are missing or needed to address the gap
- How data will be accessed to create reports
- How reports will be accessed and used

Although additional details are provided in the Appendix, the process for drafting the needs assessment included:

- Engaging and gathering OPD data information from police leadership, field supervisors, officers, and other relevant stakeholders.
- Documenting critical uses of data for the management needs of the Department.
- Understanding the existing functions of the various units within OPD that undertake analysis, what software and approaches are used currently, and challenges with existing data



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

OPD can use in-depth visualizations, customized reporting, and dashboards as the primary mechanism for both analyzing data internally and informing the public. These data products would facilitate the variety of analyses required by the police department and well position OPD to be a leader in their community.

### RECOMMENDATIONS: TECHNOLOGY, DATA COLLECTION & ASSESSMENT TOOLS

#### POLICY

OPD can modernize its technology, data collection & assessment tools. The Department can expand data collection policies with respect to stops and searches so that data on all such incidents, rather than only those that originate with a traffic stop or directed by an investigation, is collected. This should include expanding data available to the public and ensuring that all datasets are updated regularly.

**96)** Enhance transparency by providing data on arrests, force, traffic stops, searches, and the accountability system.

#### TRAINING

OPD should strive to implement a centralized management analytics platform to improve access to data and communication throughout the Department (and especially with leadership). The Department should integrate training data into an overall management analytics structure.

**97)** Provide data on training received to the public.

#### IMPLEMENTATION

A data system can be developed to capture information about its community policing activities given the importance of police-community engagement. An effective system would build upon OPD's current data collection and reporting on community policing that allows the Department to communicate its engagement efforts more effectively to the public. OPD should also provide more in-depth analysis of OPD's use of force data in the annual report by adding, for example, a breakdown of the incidents by race, gender, and age of the people involved in the use of force.

We also learned that OPD's Criminal Investigations Division (CID) does not rely on the Record Management System for key data functions. As a result, case tracking is performed outside of the system of record which often leads to information being incomplete, inaccurate, or inconsistent between the two mechanisms. Having disjointed data on a critical element connected to public safety means that it is more difficult to manage performance on this issue.

**98)** Examine why non-Hispanics Black individuals make up such a large share of those arrested.

**99)** Collect information related to the charges associated with each arrest to allow for analysis of charges based on degree of discretion by the race and sex of arrested people.

**100)** Record and collect data that will allow for more robust and accurate benchmarking to assess possible racial bias. Conduct additional analyses and investigation to understand the reasons behind observed racial disparities and proactively address them. This should include exploration of systemic concerns driven by policy or standard practice, as well as pragmatic approaches to addressing individual behavior.

**101)** Ensure that all data systems include a field to collect ethnicity data and that officers are trained to collect this data.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

- 102) Refine and improve OPD's approach to stop data collection to provide more comprehensive and readily available data. Implement a dedicated traffic stops data collection system.
- 103) Implement a centralized Management Analytics Platform. Strive to implement a centralized management analytics platform to improve access to data and communication throughout the Department (and especially with leadership).
- 104) Use platform to aggregate reporting and reduce time spent doing routine analysis. Make the platform routinely available to all relevant personnel.
- 105) Improve the current repository of Open Data. Expand OPD's data availability, and there are numerous cities with strong open data portals that could serve as exemplars for building upon OPD's current open data offering.
- 106) Create an integrated platform to systematically report on management analytics.
- 107) Integrate data to enhance OPD Analytic capabilities. CID should integrate data from the RMS to regularly look at clearance rates and detective workload throughout OPD.
- 108) Have the Planning Unit build more sophisticated reporting mechanisms.

Next, we consider the School Resource Officer Program and OPD's engagement with youth.

## IX. SCHOOL RESOURCE OFFICERS

Section IX provides recommendations regarding our evaluation of OPD's School Resource Section. Our approach to this Assessment of the OPD School Resource Section (SRS) consisted of document review/research, interviews, and on-site school visits.

The State of Florida passed the Marjory Stoneman Douglas Public Safety Act in 2018 in response to the mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida. Among other measures, the Act requires that school boards in the State place Safe-school officers on every school campus within the district. Districts may use: school-resource officers, school safety officers, and/or school guardians.<sup>14</sup> Safe-school Officers may be district employees or may be contracted employees from local law enforcement agencies within the district boundaries.

The Orange County Public Schools (OCPS) consists of 202 school campuses and more than 207,000 students across 9 local jurisdictions. To meet the requirements of the Marjory Stoneman Douglas Public Safety Act, the OCPS Board chose to deploy a hybrid model of school safety that included the creation of the OCPS Police Department and the continuance of contracts with local law enforcement agencies for SRO services. The OCPS Police Department employs sworn school safety officers to act as liaisons with SRO's from local law enforcement agencies. The OCPS Police Department consists includes: one Police Chief, seven School Safety Sergeants, and five Telecommunicators.

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<sup>14</sup> Florida Senate Bill 7026 – Marjory Stoneman Douglas Public Safety Act; 2018



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

The OCPS also contracts with nine (9) local law enforcement agencies for SRO services on campuses throughout the District including the Orlando Police Department. The Orlando Police Department School Resource Section is within the Special Services Bureau- Community Relations Division. The SRO Section staffing includes: one Lieutenant, five Sergeants, and 53 School Resource Officers.

Finally, OPD SRO's are assigned to OCPS campuses: five (5) high schools, nine (9) middle schools, and thirty-three (33) elementary schools.

With the exception of 2203.2, these policies are controlling for all officers' actions regarding juveniles and are not specific to SROs in a school environment. This should be addressed. OPD does not have a policy with guiding principles specific to the SRO function and school-based policing activities. The reviewed School Resource Section Standard Operating procedure outlines basic SRO duties and expectations. It lacks detail and does not incorporate any of the outlined expectations contained in service Agreement or Collaborative Agreement on School Discipline with OCPS.

### **OPD may consider updating certain policies, procedures, and OPD/OCPS Agreements to guide the School Resource Program**

A review of current OPD policies and procedures revealed six (6) guiding policies regarding juveniles. Guiding OPD Juvenile Policies are:

- 1204.12 Juvenile Procedures
- 1114.10 Mental Health Cases (Baker Act)
- 1115.9 Lost or Missing Persons
- 1210.4 Arrest Warrants and Juvenile Custody Orders
- 2203.2 Explorer, Cadet, and College Internship Programs
- 1203.5 Juvenile Civil Citation Program

OPD Policy 2203.2 addresses programs supervised by the SRO Section. It provides guidance to the OPD Police Explorer and Cadet programs.

The OPD provides SRO services to the OCPS through a fully executed agreement by all parties. The 2019-2021 Agreement outlines each parties' obligations with regards to staffing and rates of compensation. It also outlines basic SRO duty requirements, as well and officer expectations. Finally, it outlines the separation of law enforcement actions/activities from school administrative responsibilities and student discipline processes.

In addition to the current service Agreement, a fully executed *Collaborative Agreement on School Discipline* is also in place between the OCPS, the City of Orlando (and all other local entities providing SRO services), the State Attorney's Office, and circuit judicial entities. The agreement outlines in detail the philosophy of the OCPS regarding discipline, law enforcement actions, and the impact on student success. It acknowledges the impact arrests, suspensions, and expulsions can have on student graduations. It focuses on the reduction of law enforcement actions, specifically defined "minor misdemeanors" when school related responses are more appropriate. It also outlines in detail steps school administrators are to take before involving law enforcement.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### RECOMMENDATIONS: SCHOOL RESOURCE OFFICERS

#### POLICY

It is unknown if officers are trained on the Agreements' requirements or provided the Agreements for review. Further, the School Resource Section should develop and implement an updated policy:

- 109)** Create a School Resource Section policy that clearly outlines the mission and guiding principles of the School Resource Program.
- 110)** Incorporate the language contained in the Agreements with Orange County Public Schools into the SRO Policy as a guiding principle
- 111)** Review the School Resource Policy annually and update, as necessary.

#### TRAINING

SROs are required to attend a 40-hour School Resource Officer Basic Certification within one (1) year of being assigned. The School Resource Section also provides youth specific and special needs population training to all SROs annually including:

- Autism Training (Dealing with children on the Autism Spectrum)
- Critical Incident Training for youths
- De-escalation
- Sex Crimes/Child Abuse
- Active Shooter
- Juvenile Citation Program
- Assault and Battery

SROs also attend Intermediate and Advance Certification courses. Based on review of all available information, policies and procedures, interviews, observations, and research, it is found that the Orlando Police Department School Resource Section operates within known best practices in School-Based Policing models.<sup>15</sup>

School-Based Policing Best Practices found include:

- Strong partnership with the Orange County Public Schools
- Clearly defined and agreed upon role and function of School Resources Officers regarding the law enforcement function versus the school administrative function
- OPD SRO clearly defined and thorough SRO selection process
- SRO training and certification requirements including youth focused and special needs training
- Cooperative campus safety planning
- Commitment to safety, coaching, and mentoring to reduce enforcement

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<sup>15</sup> Police Foundation (2016); Defining the Role of School-Based Police Officers.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

It is recommended that the School Resource Section expand its annual training requirements:

- 112)** Better collaborate with Orange County Public Schools to expand School Resource Section annual training requirements for officers and school personnel to include: Youth focused mental health training, Adolescent Development, School-Based Implicit Bias, and additional special needs training.

### IMPLEMENTATION

Site visits including SRO observations and interviews with school administrators and staff were conducted at various schools at all levels: high school, middle school, and elementary. The SROs were observed to be very visible and engaged with the students and staff. SROs addressed students by name and the students appeared to be very comfortable in engaging in conversation with the officers.

Through the community engagement and listening sessions, it was determined that portions of the Orlando community perceive law enforcement presence in the school environment to be detrimental. While it appears that the perception is not driven by OPD specific events, it is impacting of the opinions of the OPD SRO program by some members of the Orlando community. OPD Should:

- 113)** Take steps in the School Resource Section to address public perception through community outreach efforts. This could include campus-based town hall style meetings in partnership with OCPS, social media efforts, and other outreach techniques.
- 114)** Consider having the School Resource Section, in cooperation with OCPS, implement a Community Advisory Board comprised of students, SROs, teachers/administrators and parents to help facilitate the understanding of school-based policing model.

### OVERSIGHT & ACCOUNTABILITY

The OPD School Resource Section has engaged leadership and supervision. Supervisors are very engaged with the OCPS campus administrators and maintain open communication with the OCPS Police Department. The following are notable practices of the OPD School Resource leadership:

- Bi-weekly Mitigation Meeting with Sergeants
- Required officer weekly wellness check-ins

In addition, it recommended OPD develop strategic collaboration:

- 115)** Coordinate between all divisions providing youth related services under the guidance of OPD's Community Relations Division, including the NPU and the School Resource Section. Coordination will maximize the ability of OPD to provide services and resources to youth in the community.

### DATA

The School Resource Section does not record and track minor complaints handled at the supervisor level and not subject to the OPD Complaint Process. This should be addressed by OPD:

- 116)** Create a procedure for the School Resource Section to record and track all complaints.

Section X considers the relationship between OPD, youth programs and Families, Parks and Recreation (FPR).



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### X. FAMILIES, PARKS & RECREATION (FPR) & COMMUNITY YOUTH PROGRAMS

Section XVIII provides a set of observations and recommendations regarding the Bowman Group's evaluation of the City of Orlando Families, Parks, and Recreation (FPR) as connected to review of the OPD.

To conduct our assessment of the FP, we conducted interviews with City of Orlando Families, Parks, and Recreation staff, OPD Staff, and other stakeholders, made an on-site school visit to an At-Risk Youth Program; and solicited input from the community.

The OPD has various youth outreach and youth related programs that appear to provide numerous opportunities for youth involvement. Specifically, the OPD has created a Youth Community Outreach Program (YCOP) specifically designed to create and implement youth specific programs. The Youth Community Outreach Program is staffed by a Corporal, who has been tasked with building the Youth Community Outreach Program. The YCOP consists of various programs including Youth Liaison Officers, Operation Positive Direction, Youth Connection, Junior Reserve Program, Teen Police Academy, Police Coach for Success, and other programs (See Appendix for description).

#### RECOMMENDATIONS: FAMILIES, PARKS & RECREATION

##### IMPLEMENTATION

The OPD has various programs designed for the youth of the Orlando community. In addition, OPD partners with school and community organizations for youth related activities. Several of the youth programs fall under the direction and supervision of the School Resource Section. These programs include Police Explorers, Superkids, and other programs include bike giveaways sponsored by Academy Sports and Outdoors as well as other special programs throughout the school year.

As described in more detail in the Appendix, the relationship between the OPD and the Families, Parks, and Recreation Department is in need of strengthening and expanding. While members of the FPR team were complimentary of the OPD School Resource Officers, they felt that the focus of the "street" (patrol) and special unit officers is too focused on enforcement rather than creating positive relationships with at-risk youth. We recommend that the OPD consider the recommendations presented by the staff of the Families, Parks, and Recreation Department to improve OPD's relationships with youth. Additional efforts could also include the following:

- 117)** Ensure that OPD develop and sustain an ongoing collaboration with FPR staff to discuss avenues to strengthen the partnership between the Departments and improve youth outreach opportunities.
- 118)** Implement or consider recommendations presented by the staff of the Families, Parks, and Recreation Department (see Appendix for additional details).

##### DATA

As noted above, the FPR staff holds the perception that OPD targets some at-risk youth for unnecessary enforcement activity that places them in the criminal justice system for "low level" crimes.

- 119)** Conduct a detailed analysis of juvenile arrests and enforcement activities. Outcomes from this analysis should be used to guide any necessary policy and procedural changes.

Section XI offers an overview of our recommendations for OPD recruitment and promotions.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### XI. RECRUITMENT & PROMOTIONS

The Orlando Police Department has fared well in their recruitment efforts, using an extensive range of media outreach, with the involvement of many diverse members for specific and nonspecific recruitment activities. Those in leadership positions report facing only marginal hiring challenges, as compared to many large departments. The Chief of Police recently reported having 80 open sworn law enforcement positions to fill. Interviews with staff indicate these numbers are not as concerning as they sound, since the Department has many police recruits in the pipeline, recruits currently attending the Academy, and officers successfully graduating the Academy and now in orientation. The actual staffing shortage, once these hires complete their basic entry-level obligations, is reported to be less than 50 positions. Many departments the size of OPD report much larger staffing shortages – some in the hundreds.

To enhance the recruitment efforts, the Chief of Police recently announced in the media that the City and the police union have agreed to a three-year contract, which includes a one-percent increase for recruits. The starting salary for officers with no experience is now \$49,248.

The Department recruits and conducts background investigations throughout the year. Generally, they place qualified candidates in Academy classes in: January 6, 2021, March 24, 2021, June 16, 2021, and September 22, 2021. For Orientation classes for previously state certified hires, dates include: February 22, 2021, June 1, 2021, August 16, 2021, and November 8, 2021. The Recruitment Unit is organized under the Administrative Services Bureau, headed by a Deputy Chief of Police, and is further falls under the Professional Standards Division, headed by a Captain and a Lieutenant. The Unit is staffed with one Sergeant, one full-time background investigator, six sworn officers, two contractual (part-time) background investigators and one staff assistant.

Additionally, the Department utilizes the Recruiting Assistance Program, also known as RAP. RAP is open to all sworn members interested in participating and is having a positive impact on recruiting potential applicants. To be included, the Unit's Sergeant conducts interviews on a need to fill basis, and those selected as a potential member must receive final approval by the Chief of Police.

RAP, developed as a decentralized recruiting opportunity, is beneficial to the Police Department because officers can be a major influence in bringing the department story and their personal experiences to various events. RAP duties can include participation in civil service exams and physical assessment testing (PAT), question-and answer sessions, making presentations, or providing testimonials of their law enforcement experiences to a wide variety of potential applicants.

#### RECOMMENDATIONS: RECRUITMENT & PROMOTIONS

##### POLICY

The success of every police department begins with its recruitment efforts and impacts every other function of the agency. It is generally accepted police practice that progressive and broad-minded departments make every attempt to ensure that their staff is representative of the communities they serve. It is also well-known that how a police department is viewed in a community, especially communities of color, can be a barrier for potential applicants who lack support from family and friends. Therefore, police recruitment should always be a broad, department-wide effort, involving steps to improve community relations and community engagement, increased transparency, and continued and persistent efforts targeted at reaching under-represented populations.

**120)** Develop the Recruitment SOP to foster and promote more of an emphasis on diversity recruitment efforts.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

- 121)** Create opportunities for more community input in the hiring/selection process (what they want to see in an officer) and highlight the activities in the new Annual report.

### TRAINING

There has been some turnover in personnel in recent years in the Recruitment Unit, mainly due to promotions. It is recommended that those assigned to these units receive training either before the new assignment or as soon as possible upon their new assignment. The training must include legal issues relating to all aspects of personnel hiring standards, bias-free processes and local Civil Service requirements, Title VII (ADA), Veteran's preference, among other more general assigned duty requirements.

- 122)** Provide training on EEOC and personnel practices to new Unit employees before they are transferred or within three months of their transfer.

### IMPLEMENTATION

OPD has a recruitment video, located within the Orlando website, that demonstrates officers performing exciting police work in SWAT-type movements, and other activities such as marine, canine and horseback actions, and chasing suspects. While this video is very well-done, it could be improved with added police-community interactions. Typically, this type of video is more representative of versions of law enforcement recruitment videos that highlight the "warrior approach" to policing instead of the "guardian approach" to policing.

- 123)** Add "Guardian-style" policing as more a part of OPD's "Identity" in recruitment materials.

### OVERSIGHT & ACCOUNTABILITY

The background investigation is a labor-intensive process, usually taking months and traditionally resulting in large quantities of paperwork. Currently, OPD background investigators are using an antiquated paper system. A more modern cloud-based system would benefit the Department by providing electronic review and transmission of information. Today's job market moves at a fast pace, with positions often being filled in a matter of weeks, especially in the private sector. In response, the Department should look to streamline their recruitment and background investigation processes, in any way possible, to get individuals hired faster and before they are offered other job opportunities. The Department leadership agrees that they should always be looking for ways to streamline and improve these processes.

- 124)** Initiate a Recruitment Unit Annual Report to describe the efforts you make each year, provide data, and report on trends and outcomes

- 125)** Conduct annual adverse impact studies on the selection/hiring processes

An adverse impact study focused on personnel selection trends can be performed to detect adverse impact in pre-employment hiring. OPD can then utilize these insights and information for proactively taking steps to eliminate it, thereby protecting both the applicants and the agency.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### DATA

Many agencies are increasingly using technology to streamline the recruitment process and ensure accuracy of records. They are moving to cloud-based technology, making it easier to securely connect applicants, references, and investigators. A cloud-based system also provides easy access for supervisory reviews and those making decisions on the final hiring decision. Most agencies making the change to the digital age, and away from archaic systems with paper files, find it can dramatically cut the time for the average background investigations.

- 126)** Develop the City's website and police department website with more emphasis on recruitment
- 127)** Research Cloud-based systems (e.g., E-Soph) for collection and retention of background information and data. Integrate recruitment data into analytics platform.
- 128)** Combine relevant recruitment data to evaluate recruitment trends and if milestones are met.
- 129)** Create a formal structure whereby data from Neogov and data kept by OPD is combined to evaluate recruitment trends and ensure the Department is reaching its recruitment milestones.

The next section of the report reviews OPD training, in-service, FTO program, and other special topics related to the education of OPD personnel, including de-escalation.

### XII. OFFICER TRAINING

This section of the report will cover the review of OPD training. The review includes all training components of the OPD including an assessment of the Valencia College Training Center (Academy) who conducts OPD recruit officer training. While OPD does not have direct authority over the Academy function and its curriculum, the assessment information is intended to provide OPD with insights that can be utilized for informed discussions with the Academy to strengthen OPD recruit officer training.

The OPD sends its recruit officers to Valencia College Training Center (Academy) to receive 770 hours of basic recruit instruction. The main purpose of the Academy is to provide the basic skill sets required to become a State of Florida certified police officer per the Criminal Justice Standards and Training Commission (CJSTC). Preliminary findings that follow focus on the following training programs: Valencia College Training Center, Recruit Orientation Program, Field Training Officer Program, de-escalation training, cultural sensitivity and bias policing, and community policing training.

After graduation from the Academy, OPD requires all recruits to complete an eight-week long (320 hours) Orientation Program. This additional training is needed as the Academy is run by the State and does not include any agency-specific training (i.e., OPD policies, procedures, etc.). OPD also wants to reinforce some important training topics and teach more advanced tactical concepts not taught in the Academy.

Once the recruits complete the eight-week long orientation program, they are then assigned to the Field Training Officer (FTO) Program. The FTO Program is based upon an FTO model developed by the San Jose Police Department and requires the recruits to receive training in four separate phases. Each phase is designed to test the recruit's abilities to handle actual field operations and ultimately to perform the duties of a police officer without direct supervision.

To conduct the initial review, a request was made to OPD to forward all training-related policies, procedures, manuals, lesson plans, testing protocols, training calendars, etc. for review. A training site visit to Orlando was conducted in January 2021. During this visit the OPD training was observed for 4 consecutive days. This timeframe was chosen specifically as OPD was conducting scenario-based training for the Recruit Orientation



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

Program and the FTO Program. During and after this initial policy and training document review, we interviewed OPD and Valencia College Training Center personnel, although the management and operations of overall training falls outside of the OPD's authority.

CJSTC should consider introducing *training constructs* in its design of Academy curriculum; however, OPD does not have authority to implement this suggestion. Academics have long known that human beings learn from three domains called Cognitive, Affective, and Psychomotor. These domains are translated into instructional curriculum by teaching students and constantly debriefing them on a problem-solving model for the cognitive domain, tactical concepts for the psychomotor domain, and reinforcing an organization's mission, vision, and values for the affective domain. Following these training constructs ensures that training managers are always cognizant of developing a "Whole Officer" who can effortlessly apply all these domains in field situations.

The old curriculum workbook and instructor guide lacked detail on the following topics: bias-free policing, cultural awareness and sensitivity, fair and impartial policing, procedural justice, community policing, community engagement, building public trust, and de-escalation. The Academy Director acknowledged this and the new curriculum was designed to improve instruction on these topics. OPD does address cultural sensitivity and bias-free policing in the Orientation Program but the time spent on these topics is minimal. OPD needs to re-program some of its curriculum (or add hours to it) to address more human relations training (cultural sensitivity and awareness, bias-free, procedural justice, fair and impartial policing, community policing, etc.). OPD understands this and is working on creating more of this training.

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### RECOMMENDATIONS: OFFICER TRAINING

#### POLICY

While the new Academy curriculum is far better at explaining community policing and engagement, it does not teach a community policing model. This maybe because the Academy understands that the different law enforcement agencies attending their training may have their own community policing model and it is best left to them to address this issue. As referenced in the Community Engagement section of the report, OPD needs to develop either a community policing model and/or philosophy on community policing. This should be taught in their Orientation Program. Simply having community forums is not enough to prepare its recruits to understand the community and work in partnership with them to solve problems. They also need to develop scenarios to train and test their recruits on community policing and engagement.

**130)** Incorporate de-escalation into the philosophy of the organization.

#### TRAINING

OPD currently has an excel matrix that addresses training mandates and elective training that will be given to its personnel. It is simplistic, and efforts should be made to make it a more formal document that could be handed out in presentations and/or community meetings. OPD also needs to ensure that the training plan addresses human relations training on an annual basis. This includes procedural justice and other training that should guide officers' interaction with the community. They should take the various topics that make up human relations training and ensure one of them is taught each year.

The new CJSTC curriculum was based upon a report published in 2017 called "Community Safety Report: Strengthening the Bonds of Trust between Law Enforcement and the Public." CJSTC then formed committees to rewrite the curriculum and only completed this task and delivered the new curriculum in December 2020. Taking almost four years to update curriculum is too long and CJSTC should research alternative methods for quickly updating its curriculum. However, OPD does not have control over the CJSTC program.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

It is especially important in curriculum design and development to have source documents (policies, procedures, etc.) that are professionally written and clearly define the actions expected of officers. These documents form the basis of the content taught and are crucial components in facilitating learning activities. For example, updating the current response to resistance policy, as we recommend in the Use of Force section, would assist in this endeavor.

There are several techniques that are easily taught and understood by recruits. One is the tactical concept of “distance + cover = time.” This formula instructs officers not to approach a person in a mental health crisis but to create distance between them, take cover behind an object (car, brick wall), and then use the time you gained getting additional resources, creating a plan, and communicating with the person. More advanced tactical de-escalation models are also readily available to incorporate into curriculum. OPD needs to modify their reality-based scenarios to require recruits to slow down the situation and use de-escalation tactical techniques to increase the probability of using no force or the minimal amount of force necessary.

- 131)** Continue OPD efforts to re-write de-escalation related curriculum to improved standards of how to understand and apply use of force options, emotional intelligence, empathy, procedural justice, power imbalances, serving your community, and de-escalation.
- 132)** Employ source documents (policies, procedures, etc.) in curriculum design and development that are professionally written and clearly define the actions expected of officers (i.e. Response to Resistance Policy).
- 133)** Incorporate de-escalation tactical techniques into the curriculum.
- 134)** Create a more robust Annual Training Plan that addresses human relations training on an annual basis and ensures at least one human relations topic is taught each year.
- 135)** Create community policing and engagement scenarios to train and test recruits on community policing and engagement.

### IMPLEMENTATION

The Academy is still structured in a traditional format where a block of instructions (say legal) is taught for two weeks straight followed by a multiple-choice test on the topic. Basically, this is a "teach a block" approach - or a test a block model that lacks proper sequencing of instructional classes. While the CJSTC did re-sequence some topics under the new curriculum, it does not teach classes at the optimal best sequenced time. For example, it would be effective to teach a legal class on reasonable suspicion followed by a tactical class on pat down searches, etc.

After the first week of baseline training, the curriculum is very psychomotor skills dominated for the next three weeks until topics such as mental health and fair and impartial policing are taught. The last couple of weeks of orientation focus on practical application exercises and running the recruits through various reality-based training scenarios. Consideration should be given to expanding the orientation program and/or reprogramming some of the psychomotor skills training into more *human relations* training. Creating and testing the recruits on scenarios such as procedural justice, fair and impartial policing, bias-free policing, cultural awareness and sensitivity, and community policing and engagement would further develop an OPD “whole officer” training program and prevent criticism the training is too tactical. OPD teaches a basic traffic stop format that does not fully embrace the concept of procedural justice. While they teach professionalism and informing the violator about the actions the officers will take, consideration should be given to adopting a traffic stop format to ensure the tenets of procedural justice: voice, respect, neutrality, etc. are followed. OPD could also reinforce the new Academy curriculum by adopting the LEED format: listen, explain, equity, and dignity.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

The old Academy curriculum addressed cultural sensitivity and bias-free training under an umbrella of ethics, values, and how to interact with members of diverse communities. While this instruction was appropriate, it did not spend a lot of time on the topics nor did it give the recruits an understanding of how to deal with these situations. OPD relies on the Academy to set a baseline of instruction for its recruits on these topics. They also address the topics in the Recruit Orientation Program and in some in-service classes. While the new Academy curriculum addresses cultural sensitivity and bias-free policing more than the old curriculum, most of this curriculum is still taught in a lecture-based format.

The ability of OPD to instill community engagement concepts into their employees depends in large part on OPD's ability to reinforce those concepts through training, including recruit training, in-service, and roll call training. Although the assessment saw some evidence that community engagement is reinforced during recruit training in conversations with the OPD, there appears to be less emphasis of community engagement over the course of officers' tenure. In conversations with OPD members, many could not remember much training focused on community engagement or interpersonal community engagement skills.

- 136)** Adopt training constructs and use a problem-solving model (CAPRA, SARA, etc.) in orientation and in-service classes.
- 137)** Consider introducing training constructs cognizant of developing a "whole officer" and reinforcing teamwork and active bystandership as critical officer educational components to astutely point out OPD training is more than just tactics and firearms.
- 138)** Expand the orientation program and/or reprogram some of the psychomotor skills training into more human relations training, including scenarios such as procedural justice, fair and impartial policing, bias-free policing, cultural awareness and sensitivity, and community policing and engagement.
- 139)** Adopt a traffic stop format based upon the CAL-POST 8-step model<sup>16</sup> or a similar model to ensure the tenets of procedural justice and bias-free policing: voice, respect, neutrality, etc. are followed, and automatically embedded into the curriculum.
- 140)** Adopt the LEED format: listen, explain, equity, and dignity.
- 141)** Remove de-escalation scenarios from the Academy format of 10 scenarios back-to-back within 120 seconds in order to help recruit officers learn to slow-down tactically to potentially minimize use of force, and reduce the current format's focus on immediate action, which goes against the tenets of handling de-escalation.
- 142)** Modify reality-based scenarios to require recruits to slow down the situation and use de-escalation tactical techniques to increase the probability of using no force or the minimal amount of force necessary.

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<sup>16</sup> The California Commission on Peace Officer Standards and Training (CAL-POST) 8-step model is discussed in the following guide, Learning Domain 22: Vehicle Pullovers, v. 3.2:  
[https://post.ca.gov/portals/O/post\\_docs/basic\\_course\\_resources/workbooks/LD\\_22\\_V-3.2.pdf](https://post.ca.gov/portals/O/post_docs/basic_course_resources/workbooks/LD_22_V-3.2.pdf)



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

- 143) Encourage supplemental resources for officers by expanding local co-responder (police officer and mental health practitioner) program, implementing a call-center where mental health professionals can give advice to field officers, and having OPD personnel work with mental health professionals to design plans to deal with persons who are constantly in mental health crisis and generate many calls for service.
- 144) Create more scenarios (and testing protocols) on topics related to cultural sensitivity and bias free training, including empathy, emotional intelligence, procedural justice, police legitimacy, teaching a LEED format, implicit and explicit bias, officer wellness, power imbalances, serving your community, de-escalation, and communications skills
- 145) Improve and maximize time spent on the topics of cultural sensitivity and bias-free policing by re-programming training curriculum (or add hours to it) to address more human relations training (cultural sensitivity and awareness, bias-free, procedural justice, fair and impartial policing, community policing, etc.).

### OVERSIGHT & ACCOUNTABILITY

The new Academy curriculum has two major themes written into the curriculum that support cultural sensitivity and bias-free policing. These are *procedural justice and service to the community*. The curriculum also has 11 sub-themes that also support cultural sensitivity and bias-free policing: empathy, emotional intelligence, procedural justice, police legitimacy, teaching a LEED format, implicit and explicit bias, officer wellness, power imbalances, serving your community, de-escalation, and communications skills. The new Academy curriculum covers in detail the pillars of procedural justice and encourages recruits to practice these concepts throughout their careers. The curriculum also explains to the recruits how to use the LEED model and gives a noise complaint radio call as a scenario to debrief using the model.

- 146) Ensure field instructors debrief and encourage the best tactic to handle de-escalation scenarios and best practices for desired OPD outcomes and tactics.

### DATA

- 147) Integrate training data into an overall management analytics structure. This would free up resources currently used to generate reports and further support training delivery and attendance management.
- 148) Consider providing training data to the public demonstrating the types of training received by officers, topics covered, and training time frames.

Section XIII covers officer wellness, OPD's OAP framework, and provides recommendations.



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### XIII. OFFICER WELLNESS

Officer assistance and wellness programs (OAP), or law enforcement stress programs, are an important resource that may extend beyond the benefits of city or countywide employee assistance programs. OAP programs include the following benefits:

- Provide a confidential, specialized approach to treating and reducing stress for officers and their families, and to improve their ability to cope with stress on their own (most officers do not trust—or use—city or county programs)
- Increase officer morale and productivity
- Increase the agency's overall efficiency and effectiveness
- Reduce the number of early retirements and workers' compensation claims due to stress-related disabilities
- Reduce the number of on-the-job accidents
- Reduce the potential for civil liability due to officers' stress-related inappropriate behavior
- Reduce negative media attention, and
- Improve *the general well-being of police families*<sup>17</sup>

OAP can support the retention of OPD personnel, enhance officers' effectiveness, help personnel and families cope with stress, educate officers and provide needed, critical services.

Officer wellness and support plan and Employee Assistance Program section report considers the five-year officer wellness strategic plan, suite of OPD policies affecting voluntary officer support, and overall opportunities and recommendations regarding strengthening the officer support and EAP program. Our review included assessment of the five-year Officer Assistance Strategic Plan.

The OPD should be commended for developing a robust, research-based officer wellness strategic plan, and expressing strong commitment to implementing this. OPD has done extensive work on the research, development and recommendations included. However, there has been no needs assessment completed with officers and no budget allocated to moving forward with the recommendations. In addition, all policies related Officer Wellness need significant revision. This portion of the strategic plan needs strengthening, including a budget and timeline for accomplishing milestones. There was a consistent message that there is an overall lack of trust in the current EAP system. Due to the appropriate confidentiality of which department the employee is from, it is unclear how often OPD actually utilizes the EAP services.

While onsite, we considered officers' experience with officer wellness at OPD and all reported that OPD does a good job with this. They reported the culture of wellness has changed with millennials joining the Department. Standards and accountability have clear expectations with officers stepping in if another officer is stepping out of line on a call, and with all officers on scene being held accountable if they fail to do so and a situation occurs. They also reported that Critical Incident Stress Management (CISM) is helpful. The CISM approach recognizes that officers undergo a great amount of stress on the job. This model creates wellness opportunities for officers to better manage stress connected to critical incidents at work.

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<sup>17</sup> National Institute of Justice: <https://www.ojp.gov/pdffiles/163175.pdf>



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Overall, OPD should develop clear year-one goals, with a budget attachment and funding. The proposal indicates a policy/SOP is needed for officer wellness; if OPD believes this is necessary, this should be a part of the year-one goals. The lack of a budget allocation for Officer Wellness and absence of a more implementable strategic plan continues to be a concern.

### RECOMMENDATIONS: OFFICER WELLNESS

#### POLICY

A balance should be given (and funded) to post major incident support and preventive health and wellness programs. It has been reported that there is preference by OPD for an external clinical model for officer mental health services. While internal vs. external models vary across the country with pros and cons for each assessment of this needs to be vetted thoroughly. Confidentiality concerns with EAP are common among law enforcement. Both internal and external therapists need to be thoroughly vetted regarding their experience working with first responders.

- 149)** Develop a policy/SOP for officer wellness as indicated in the officer wellness strategic plan.
- 150)** Work with City HR to evaluate the well-researched 5-year officer assistance strategic plan.

#### IMPLEMENTATION

It was reported that a wellness coordinator will be hired, and it will be a sworn position. It is important that the full-time position description and selection process be thoughtful and well-vetted. It is critically important that this position not just be union driven, or merely based on seniority, but instead that a well-respected, experienced officer be selected for this role. The wrong person in this position will sabotage the effectiveness of this plan. At the time of this review, there appeared to be confusion on the role of the nine-ten chaplains and whether it would be appropriate to include some of them as part of an overall Officer Wellness Plan.

A PEER Support Program has been shown to be highly effective. There are many departments around the country that can guide OPD on selection, training, legal protections of PEER programs etc. These are typically not full-time roles; rather officers selected for PEER programs also have their regular full-time duties. Exploring successful programs would be important to consider. There is reportedly no budget for starting a PEER program presently. This should be considered as part of year one goals. The sworn wellness coordinator position could assist in the PEER selection process.

- 151)** Develop a position description for a wellness coordinator (sworn vs. civilian, or both) and hire (not union nor seniority driven) this coordinator.
- 152)** Research PEER programs.
- 153)** Dedicate equal resources to post major incident as preventive wellness.
- 154)** Research internal vs. external models of first responder treatment.
- 155)** Clarify role of chaplains and whether it would be appropriate to include some of them as part of an overall Officer Wellness Plan.
- 156)** Work with City HR to conduct a needs assessment related to officer wellness.



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- 157)** Work with City HR to evaluate external vs. internal clinical models for officer mental health services within the City of Orlando, OPD, or outside services and resources for officers.

It has been reported that there has been no needs assessment completed by OPD to gather direct feedback about what officers would find most useful to officer wellness. There are some best practices already identified on pages 6-7 of the Officer Wellness proposal. The questions need to be succinct, able to be completed easily by officers, be confidential, and one that can easily be accomplished through electronic portal, roll call, through Sergeants, etc. Proposing programs without OPD officer feedback is not advisable.

OPD should plan for the development and implementation of an effective Officer Assistance and Wellness Program. The Department should develop the strategic plan to include clear year one goals, budget, and funding, as well as the Officer Assistance Program policy, Standard Operating Procedure, and personnel guidelines developed for officer wellness. It will also need to conduct a Needs Assessment related to officer wellness among OPD personnel to gather direct feedback about what officers would find most useful to officer wellness.

The next section covers another personnel retention and accountability support, the early intervention program.

### XIV. EARLY INTERVENTION PROGRAM

An early intervention (EI) system or program is a non-disciplinary, supervisory management and accountability tool used by police agencies to identify at-risk behavior early. An EI system is essential to identify conduct by officers that may be an indicator of a training deficiency, a pattern of uncorrected misconduct, or a personal issue that might impact the ability of the officer to perform her or his duties.<sup>18</sup> Furthermore, identifying and addressing at-risk and problematic trends in officer behavior before a serious incident occurs can prevent harm to community members, avoid erosion of the Department's legitimacy and community trust, and protect the Department from liability.<sup>19</sup>

EI systems have been recommended as a promising practice by the International Association of Chiefs of Police (IACP), the U.S. Department of Justice (DOJ), and many policing experts. As a result, more than 68 percent of police agencies with 100 or more officers had an EI system as of June 30, 2016.<sup>20</sup> EI systems are data-driven; they track performance indicators and identify at-risk officers based on certain thresholds. An EI system alerts an agency when a performance indicator or combination of performance indicators meets a certain threshold, such as a specific number of complaints in a certain time frame. After receiving the alert, a supervisor or manager reviews the incident(s) and possibly the officer's work history, to determine and document the appropriate intervention, if any. Finally, follow-up monitoring may occur if deemed appropriate. This non-disciplinary review of officers' actions distinguishes an EI system from an agency's internal affairs process. Ultimately, the EI system design and implementation should contribute to its effectiveness.<sup>21</sup>

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<sup>18</sup> Best Practices in Early Intervention Systems, available at <https://www.policefoundation.org/publication/best-practices-in-early-intervention-system-implementation-and-use-in-law-enforcement-agencies/>

<sup>19</sup> Gullion, C. L. & King, W. R. (2020). Early intervention systems for police: A state-of-the-art review. *Policing: An International Journal*, 43(4), 643-658. <https://doi.org/10.1108/PIJPSM-02-2020-0027>

<sup>20</sup> U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics (2020). *Law Enforcement Management and Administrative Statistics Surveys (LEMAS)*, 2016. Inter-university Consortium for Political and Social Research [distributor]. <https://doi.org/10.3886/ICPSR37323.v1>

<sup>21</sup> Gullion & King, Early intervention systems for police, 644-645.



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The assessment team reviewed the OPD's early intervention (EI) program and practices, including their policy, training and communication of the EI program, the EI system, and associated files for supervisor's handling of EI alerts and interventions. EI programs afford an agency the ability to engage in proactive counseling and mentoring with an employee to help prevent future at-risk behavior. The assessment team found that OPD has a solid EI program in place, and practices are sufficient, though a more robust system and practice is currently underway. The assessment team recommends to OPD that EI performance indicators, thresholds, practices, and oversight of trends and patterns and interventions can be improved.

### **The OPD's early intervention program 2207.3 policy is solid, well-written, and clear in its expectations, including the review and accountability process**

OPD's Early Intervention Program 2207.3 Policy provides clear direction for supervisors and command staff in expectations of the review of EI alerts and documentation of the process including meetings with officers and interventions determined. Furthermore, EI alerts are based on three- and 12-month rolling periods for which thresholds of tracked performance indicators may be met, and this rolling basis is a best practice across police agencies. Finally, this policy also includes expectations for supervisors regarding post-intervention monitoring of their officers, review of EI files by OPD's Training/Accreditation and Inspections Section Commander for any department-wide training needs, and annual review of the EI program by the Internal Affairs Manager for effectiveness and appropriate changes in the policy and the program.

Currently, OPD's EI program tracks the performance indicators including informal and formal complaint investigations, response to resistance, police shootings, and claims, litigations, or lawsuits. The assessment team commends OPD for planning to consider additional performance indicators in the EI program. The types of performance indicators in an EI system are crucial. Agencies that only include complaints or uses of force fail to gain the full picture of officer performance.<sup>2223</sup> Police agencies and scholars have found that problematic behaviors were more likely to occur early in an officer's career, while more experienced officers were more likely to be affected by family issues, stress or chronic illness including substance abuse, depression, domestic violence, and suicide.<sup>2425262728</sup> An officer experiencing this difficulty may also be experiencing financial problems and relationship problems that will affect the officer's performance.

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<sup>22</sup> Walker, S., Alpert, G.P. & Kenney, D.J. (2000). Early warning systems for police: Concept, history and issues, *Police Quarterly*, 3(2), 132-152. <https://doi.org/10.1177/1098611100003002001>

<sup>23</sup> Walker, S., Alpert, G.P. & Kenney, D.J. (2001). Early warning systems: responding to the problem police officer, U.S. Department of Justice, Office of Justice Programs, National Institute of Justice. <https://www.ncjrs.gov/pdffiles1/nij/188565.pdf>

<sup>24</sup> Gershon, R. R., Barocas, B., Canton, A. N., Li, X., & Vlahov, D. (2009). Mental, physical, and behavioral outcomes associated with perceived work stress in police officers. *Criminal Justice and Behavior*, 36(3), 275-289. <https://doi.org/10.1177/0093854808330015>

<sup>25</sup> Gullion, C. L., Orrick, E. A., & Bishopp, S. A. (2021). Who Is At-Risk? An Examination of the Likelihood and Time Variation in the Predictors of Repeated Police Misconduct. *Police Quarterly*, <https://doi.org/10.1177/10986111211013048>

<sup>26</sup> Harris, C. J. (2009). Exploring the relationship between experience and problem behaviors: A longitudinal analysis of officers from a large cohort. *Police Quarterly*, 12(2), 192-213. <https://doi.org/10.1177/1098611108327314>

<sup>27</sup> Harris, C. (2014). The onset of police misconduct. *Policing: An International Journal*, 37(2), 285-304. <https://doi.org/10.1108/PIJPSM-01-2012-0043>

<sup>28</sup> Walker, S. E., & Archbold, C. A. (2013). *The new world of police accountability*. Sage.



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While the Early Intervention Program 2207.3 policy includes expectations for review of EI files by OPD's Training/Accreditation and Inspections Section Commander for any department-wide training needs, and annual review of the EI program by the Internal Affairs Manager for effectiveness and appropriate changes in the policy and the program, there is a lack of documentation that either review occurs. While OPD managers shared with the assessment team that these reviews are occurring, proper documentation would provide evidence of this review process and their outcomes. Furthermore, this documentation would allow future managers assigned to conduct these reviews for needs related to training or EI policy and program changes to understand the history of what has previously been conducted.

Those personnel that may be subject to an EI alert but that do not have any review and accountability responsibilities can receive a more condensed version of the training to simply understand the nature and purpose of the EI program and what they may expect if an EI alert is triggered based on their police incident(s). The assessment of OPD's EI program also included an examination of the practices of the EI Program and their alignment with the Early Intervention Program 2207.3 policy. The assessment team reviewed the EI files and supervisors' reports based on their review and documentation of EI alerts, interventions, and post-intervention monitoring. While these EI program files were well documented and the review process was generally consistent, there were a few processes and practices that were either not aligned with the policy or could improve based on best practices.

The Early Intervention Program has not been properly communicated nor trained across OPD personnel department-wide. During interviews across the Department including varying ranks, areas, units, and assignments, the assessment team found there was a lack of understanding of the nature and purpose of the EI program. Furthermore, many supervisors were unaware of the process of reviewing EI alerts, determining appropriate interventions, post-intervention monitoring, unless they had directly received prior EI alerts based on one or more of their subordinate officers. In these cases, supervisors indicated that given the Department's lack of proper communication or training on the EI program and what is expected for a supervisory review of EI alerts, they were forced to ask the Internal Affairs Division or find a fellow supervisor that had experience with this process to learn how the review and documentation process worked. Finally, due to this lack of communication or training, most officers were unaware of the nature and purpose of the EI program, unless a fellow officer had received an EI alert and met with their supervisor, which was then shared with that officer.

### RECOMMENDATIONS: EARLY INTERVENTION PROGRAM

#### POLICY

The policy currently primarily focuses on the symptoms of job stress or personal problems. While this is certainly one side of the benefits of an EI program, the other side includes identifying and addressing patterns of problematic behavior. This provides the opportunity for supervisors to mentor and guide officers to modify their behavior and prevent future adverse events from occurring. While this policy outlines concern with supervisors discussing pending investigations with the officers, this is not the intention of an EI program. Rather, the intention of an EI program and the supervisor's review of EI alerts, to include an officer's work history is to identify and address patterns or trends of at-risk behavior.

This policy must ensure its language strikes this balance so that OPD personnel are optimizing their EI program. It should maintain a balanced focus of identifying and addressing at-risk behavior and officer mental health and wellness. While OPD plans to revise their Early Intervention Program 2207.3 Policy after the transition from AIM to EI Pro, the assessment team still offers the following recommendations for OPD's consideration to further conform to best practices.

- 158)** Revise the EI Program 2207.3 policy to describe the nature and purpose of the EI program, including that it is non-disciplinary, at the beginning of the policy. Ensure that it has a balanced focus of identifying and addressing at-risk behavior and officer mental health and wellness.



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### TRAINING

Ultimately, as a non-disciplinary, supervisory management and accountability tool, all OPD personnel should be notified of and trained on the EI program as a potential subject of an EI alert or as a supervisor or manager that may review EI alerts and determine appropriate interventions to modify at-risk behavior. However, the assessment team acknowledges that OPD personnel directly involved in the management of the EI program shared the Department's plans to provide department-wide training on the EI program once the transition from AIM to EI Pro is complete.

- 159)** Ensure communication and training of the EI Program is provided department wide.
- 160)** Consider holding a separate training for supervisors and managers regarding their role and responsibility in the review of EI alerts and determination of appropriate interventions and post-intervention monitoring.

### IMPLEMENTATION

The EI program files including supervisor's reports appropriately document the specific interventions provided to officers and that there will be post-intervention monitoring. However, there is no documentation that the intervention occurred or the review and outcome of post-intervention monitoring. While OPD personnel shared with the assessment team that these interventions and post-intervention monitoring are occurring, proper documentation would provide evidence of this process and their outcomes. Furthermore, this documentation would allow future supervisors assigned to these officers to have knowledge of these interventions and their outcomes should they find themselves reviewing subsequent EI alerts to identify patterns and trends for those officers who had a prior intervention and/or post-intervention monitoring.

While there is no consensus on the correct or most effective number of performance indicators, promising practices recommend a broad range of indicators.<sup>29</sup> Police agencies can select as many performance indicators as suits their needs while recognizing that accurate and real-time data are crucial to the system's effectiveness.<sup>30</sup>

- 161)** Require documentation that demonstrates interventions provided to officers were completed, and when post-intervention monitoring occurs, require documentation of that process and the outcome. Include a statement in the EI program process and supervisor's report stating this requirement to document intervention and post-intervention monitoring follow-up, and additional follow-up with internal affairs for accountability.
- 162)** Allow the new EI Pro system to use tasks function to remind supervisors and managers to follow-up on training, counseling, post-intervention monitoring, etc. after varying time periods depending on which outcome selected (e.g., training 30-45 days, post-intervention monitoring 90 days, etc.).
- 163)** Consider including additional performance indicators in the EI program such as vehicle collisions, pursuits, traffic and pedestrian stops, arrests, firearm discharges, domestic violence issues including officer

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<sup>29</sup> Walker, S. (2003). Early intervention systems for law enforcement agencies: A planning and management guide, U.S. Department of Justice, Office of Community Oriented Policing Services. <https://www.hsdl.org/?view&did5470860>

<sup>30</sup> Walker, S. E., & Archbold, C. A. (2013). The new world of police accountability. Sage.



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subject to a restraining order, failure to appear in court, sick leave, mandatory counseling, etc. OPD needs to determine how many, and which performance indicators will suit their specific needs. Additional performance indicators may include searches and seizures, training records, transfers, secondary employment, and officer injury. Again, while still recognizing that the accuracy and timeliness of EI data are key to the program's overall success.

- 164)** Consider including positive performance indicators in the EI program along with the adverse events, to achieve a balance, so supervisors have a holistic view of an officers' attitude, behavior, and work history.
- 165)** Consider including a combination threshold that creates an EI alert when a certain number of any of the performance indicators occurred within a specified time frame. OPD has indicated they are currently considering including a combination threshold when the transition from AIM to EI Pro is complete.

### OVERSIGHT & ACCOUNTABILITY

The EI program files often documented that supervisors' attempts to review officers' body-worn camera footage associated with the incident(s) based on the EI alerts either had issues with the footage not uploading, and thus the video was unavailable for review, or the video footage only showed the officers' actions before the incident or just after the incident. As noted in the Internal Affairs section of this report, Mobile Recording Systems Policy 1140.6 allows officers to deactivate their body-worn cameras and, thus, does not require entire events to be recorded.

Currently, OPD's EI program has thresholds that may not be ideal for identifying and addressing at-risk officers. Some thresholds require a higher number of incidents in a specific time frame before the EI alerts are triggered. Given that an EI program is non-disciplinary in nature, OPD should recognize the opportunity to address at-risk officers early, and this may mean lowering some of their current thresholds. For example, the response to resist threshold is currently specific to trigger an EI alert when an officer has five response to resistance incidents within three months, or 12 response to resistance incidents within a year. The assessment team offers that waiting for an officer to be involved in five response to resistance incidents (i.e., use of force incidents) in three months may miss an earlier opportunity to guide and mentor that individual officer or identify areas for needed policy or training changes department-wide. For OPD's consideration during this reexamination process, police experts and scholars agree that an agency's thresholds should be based on its history and culture, including a review of the number of past incidents involving the agency and its officers. OPD should reexamine the EI program thresholds as they currently stand to determine if changes are appropriate.

Currently, OPD commanders do not regularly meet to review officers identified by the EI program. Regular, ongoing review of patterns and trends may result from officers identified by the EI Program and command staff meetings should be scheduled quarterly to conduct a review of these EI officers. There should be mandatory attendance by section/district commander or their delegate. The delegate should be prepared to present the quarterly report. Similar to the process where a department meets regularly to discuss criminal activity and efforts to reduce crime and solve the crimes that have occurred, there should be a presentation by each commander or each unit to discuss all of their subordinates identified by EIS. The presentation should also explain what actions were taken to reward high performers and those actions taken to address poor performance. Once the commander of a unit provides the presentation, other members attending should have to opportunity to ask questions and offer remarks.

- 166)** Require supervisors to review officers' body-worn camera footage for the incident(s) that triggered the EI alert to determine if issues or patterns and trends are occurring.
- 167)** Require follow-up to be documented by supervisor based on the EI Pro task alert and internal affairs can ensure completion and follow-up automatically without burden to them.



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- 168)** Conduct quarterly command staff meetings to review EI officers to identify high performers, interventions taken, and opportunities for learning and improving this EI program and the review and accountability process.
- 169)** Require documentation that demonstrates the Training/Accreditation and Inspections Section Commander conducted their reviews for any department-wide training needs and any determinations that were made from this process.
- 170)** Require documentation that demonstrates the annual review of the EI program by the Internal Affairs Manager for effectiveness and appropriate changes in the policy and the program occurred, and any determinations that were made from this process.

TBG also conducted an assessment of emergency communications and dispatch in conjunction with its evaluation of the OPD. This review is provided in the following section.

### XV. EMERGENCY COMMUNICATIONS & DISPATCH

The Communications Center houses Police, Fire, and EMS dispatchers. OPD supervises the police dispatch function only. Fire and EMS dispatch functions are supervised by those departments, directly. It was observed that the Communications Center is well designed for efficient delivery of 911 and dispatch services. OPD utilizes call take positions to answer incoming 911 and non-emergency calls then transfer the call information to dispatch positions for appropriate officer dispatch.

To conduct our assessment of the OPD Emergency Communications Section, we reviewed OPD Emergency Communications Policies, Procedures, Training, and other relevant documents, interviewed OPD Emergency Communications Supervisory staff, and conducted an on-site Tour of the Communications Center.

The Orlando Police Department Communications Division provides emergency communication services as the primary 911 Public Safety Answering Point (PSAP) for the City of Orlando. The OPD Communications Division has an authorized operating budget of \$9,344,224 for the 2020-2021 fiscal year. Overtime funding is not specifically delineated in the adopted budget. The OPD Communications Center has an authorized staffing of 93 full-time employees including: two administrative (manager & assistant manager), eight supervisors, three other management personnel, and 75 Emergency Communications Specialists.

At the time of the assessment, the ECS had no open positions. However, when openings exist, ECS conducts recruiting activities including on-line advertising, website announcements and other recruitment activities. Employment qualifications follow State of Florida mandates. However, they do not include best practice hiring practices including a psychological examination for all new hires. In addition, although fully staffed, OPD ECS relies on a robust usage of overtime to maintain minimum staffing levels. The OPD ECS utilizes a fair and detailed Mandatory Overtime Policy agreed upon by the bargaining unit to maintain minimum staffing when volunteers are not available.

The OPD operates a P25 compliant 800 MHz simulcast radio system and issues Motorola Apex 7000 and 8000 radios. The Computer Aided Dispatch (CAD) system was upgraded in 2020 from an outdated AS400 platform to a Tyler Technologies CAD solution. Supervisors reported that issues with the transition to the new CAD solution including:

- Legacy data conversion from AS400 to the new format
- Communication personnel assisting with the data conversion without training
- Loss of the CAD system for long periods of time for maintenance conducted by Tyler Technologies



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Supervisors indicated they continue to work with Tyler Technologies to reduce these issues. ECS staff indicated they have a good working relationship with OPD operations/field supervisors as well as with officers. Supervisors meet regularly with sworn supervisors and attend OPD Operations Committee monthly. The ECS Assistant Manager conducts bi-monthly supervisor meetings.

### RECOMMENDATIONS: EMERGENCY COMMUNICATIONS & DISPATCH

#### TRAINING

The OPD Emergency Communications Section has a robust training regime for call-take and dispatch personnel and adheres to State mandated certification requirements. OPD ECS personnel do not participate in joint training with OPD Operations personnel during full-scale training exercises.

**171)** Develop telecommunication specific (8 hour-3 Days) CIT, or include telecommunications in 40-hour CIT.

#### IMPLEMENTATION

The OPD Emergency Communications Section operates an up-to-date 800nMHz P25 compliant radio system with newly integrated Computer Aided Dispatch (CAD) technology. The OPD ECS adheres to State mandated performance criteria for 911 call answering and dispatch. At the time of the assessment, the OPD ECS was at full-authorized strength for FTE positions. Although fully staffed, OPD ECS relies on a robust usage of overtime to maintain minimum staffing levels. The OPD ECS utilizes a fair and detailed Mandatory Overtime Policy agreed upon by the bargaining unit to maintain minimum staffing when volunteers are not available.

**172)** Institute hiring processes in line with recommended best practices of the Association of Public-Safety Communications Officials (APCO) International and the Commission on Accreditation for Law Enforcement Agencies (CALEA) to include pre-employment psychological examinations for ECS new hires.

**173)** Conduct a complete workload analysis and staffing study to determine if reliance on overtime to maintain minimum staffing levels continues to be efficient and effective.

**174)** Consider reinstating over-hire authority to allow for new-hire training and reduce the reliance on overtime to maintain minimum staffing levels.

**175)** Consider and implement all recommendations outlined under the Critical Incident Response and Alternative Response Program Assessment Section to include: include trained mental health clinicians as Emergency Communications Section staff members for mental health calls; and provide mental health – crisis response training annually for all ECS personnel.

**176)** Ensure that specific consideration is given to the unique environment and issues encountered by ECS personnel under the Department’s Employee Assistance Program and Wellness Plan.

The City of Orlando conducted a targeted customer experience survey in 2020-2021. This review is provided in the next section.



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### XVI. CITY OF ORLANDO TARGETED CUSTOMER EXPERIENCE SURVEYS

The City of Orlando is conducting a targeted customer experience survey to measure the customer experience of those individuals that have recently interacted with Orlando police officers. Our team assisted the City with the development, review, and evaluation of this survey, in a limited capacity. This includes assisting the City with developing a survey methodology and distribution strategy, reviewing the City's analysis of survey responses, and providing support on other issues related to the survey, as required. A goal of the survey is to determine if OPD officers are incorporating procedural justice principles into their work, with specific focus on legitimacy.

The City planned to solicit survey feedback from individuals that recently had contact with police in a variety of contexts by sending a postcard invitation. To determine its case selection, the City compiled a list of all types of police contacts with a recorded home addresses and the frequency of each type of contact. Based on that information, the City narrowed its focus to the types of crimes that would not re-traumatize the recipient or put the recipient in any danger, and that had "enough" cases.<sup>31</sup> Based on the number of contacts for the months of November and December 2020, the cases above would result in the distribution of 4,228 postcards. The City of Orlando distributed the first round of postcards in January 2021, a second round at the end of February 2021, and a third at the end of March 2021.

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<sup>31</sup>The was not a numerical criterion for case type inclusion, but the City removed case types that had fewer than 10 reported cases. Based on these criteria, the team selected the following cases to trigger a postcard solicitation for the survey.

- City ordinance violation
- Commercial burglary
- Commercial robbery
- Criminal mischief
- Dealing in stolen property
- Drug violation
- Florida traffic crash report
- Forgery
- Fraud
- Grand theft
- Identity theft
- Missing person - adult
- Motor vehicle theft
- Petit theft
- Residential burglary
- Suspicious device
- Suspicious incident/person
- Trafficking controlled substance
- Trespass
- Trespass after warning
- Vehicle burglary



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### **The City is using a dashboard to review and identify trends in the survey responses.**

In terms of using the data that has been received, the City walked through their “dashboard” method of analysis. Rather than using survey data to conduct significance and correlation tests or other statistical methods to identify patterns, trends, and relationships between police and community factors or characteristics, the City created a dashboard that allows them to display the data visually. Data elements in the dashboard can be “drilled” into to look closer at specific types of responses. For example, their dashboard aims to understand what drives trust and satisfaction among respondents.

After an initial overview reveals mostly positive interactions with police, the dashboard allows users to look at only those respondents that expressed dissatisfaction or used specific phrases in free-text responses. When looking at those responses, they can determine if there are commonalities among those respondents, such as residential neighborhood. Focusing on specific types of responses, like those that they wish to turn positive, the City aims to make suggestions to the OPD about how they might change engagement strategies with some respondents.

### **The City has identified trends in the survey responses that may provide insight for policy or engagement strategies.**

In March 2021, the City reviewed findings to date, indicating that they can see trends using the dashboard that could be more meaningful for policy or engagement strategies than statistical analyses (see a few graphs from dashboard below based on the limited number of responses received). The City found that while most respondents were satisfied and had trust in police, there was not a lot of neutral responses: most respondents were either very happy or not happy at all. Furthermore, the respondents that reported trust in police were mostly white and from the downtown neighborhoods. From the dashboard, the City determined that these respondents did not experience any aggression (92%), felt heard and believed that the officer was respectful. The team expressed that they would like to increase responses from non-white individuals who live in other areas of Orlando.

## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

During these initial few months of implementation, the City of Orlando has received a low response rate on the customer experience survey.



Figure 2 OPD Customer Experience Overview

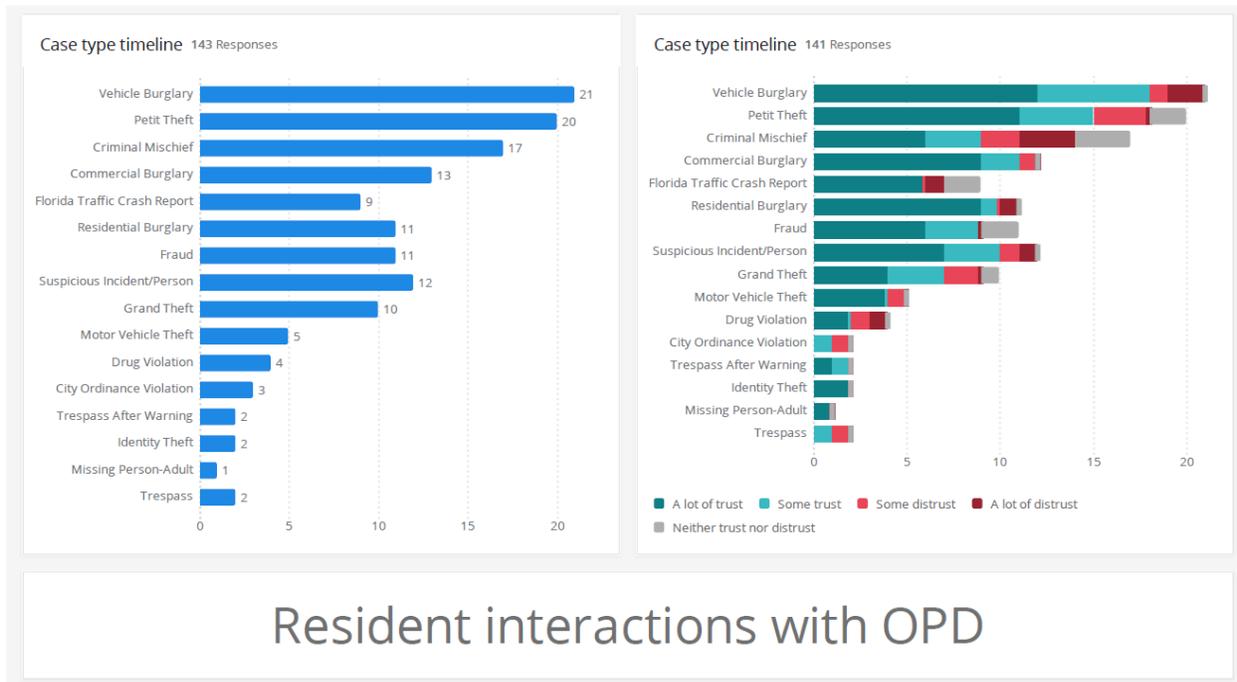


Figure 3 Resident Interactions with OPD

REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)



Figure 4 Responses

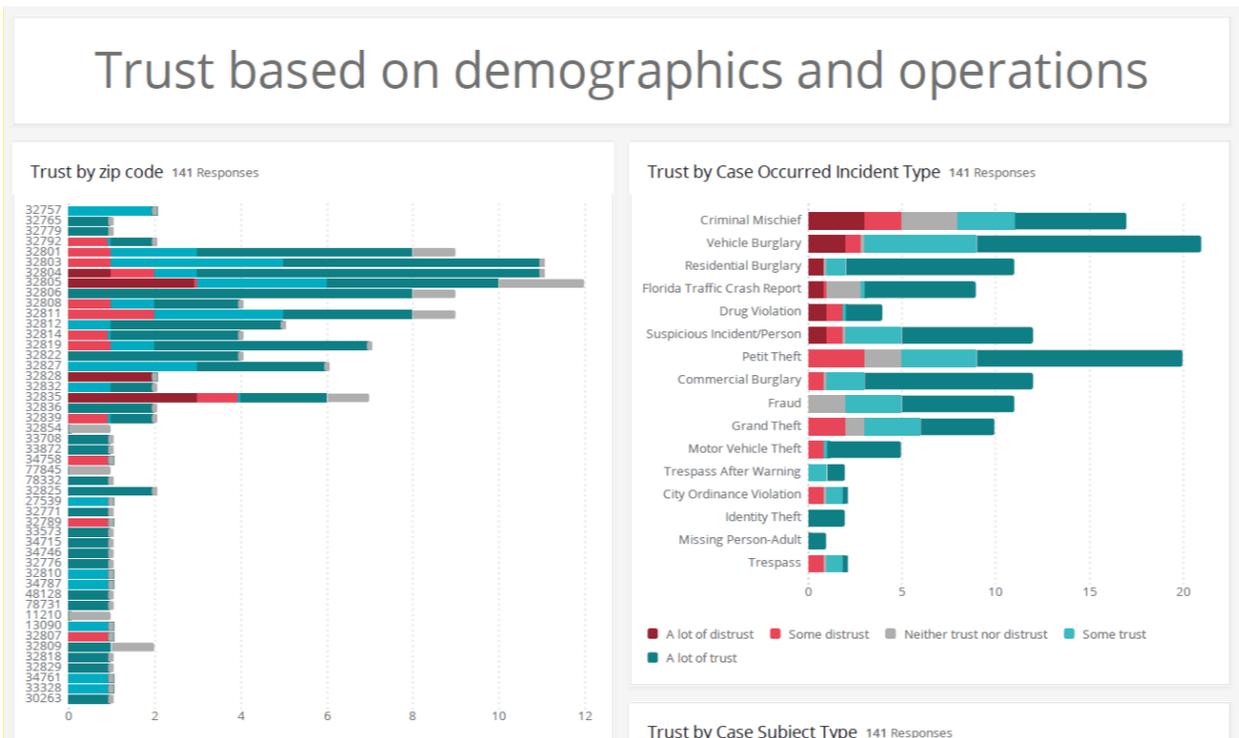


Figure 5 Responses

## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)



In conclusion, while the overall targeted community survey response rate is low, the City has a lot of freedom to experiment with ways to increase responses. In addition, the City has demonstrated creativity in how they are approaching these survey responses. The Bowman Group is very interested and encouraged to see what kinds of recommendation come out of this survey and how they impact policing in Orlando.

### RECOMMENDATIONS: TARGETED CUSTOMER EXPERIENCE SURVEYS

#### POLICY

**177)** Ensure follow-up with respondents within 24 hours of the receipt of any response by developing written protocol for managing these responses with contingencies for staff availability. There is an opportunity for the survey respondents to request follow-up from an OPD supervisor, and it is imperative that the City has a plan in place for staff to handle these requests.

#### IMPLEMENTATION

As of May 10, 2021, the City of Orlando has received 147 responses of approximately 8,308 solicitations (1.8%). Throughout these initial few months of implementation, our team talked to the City of Orlando about the different platforms on which the survey was offered and were assured that the survey was both desktop and mobile friendly. During this time, our team focused mostly on what can be done to improve the response rates.

**178)** Meet with the police unions to discuss the goals and design of the survey. The City met with the Fraternal Order of Police (FOP) in January 2021. After the City assured the FOP's concerns that survey responses could not be used to initiate discipline against officers, the FOP supported the overall goals of these targeted community surveys.

**179)** Include an introductory sentence and demographic questions in these targeted surveys. Have an introductory sentence that outlines for the potential respondent the approximate time it takes to complete the survey and/or the number of questions on the survey. While the City accepted an earlier recommendation to include demographic questions in the survey, they did not accept specific demographic questions in keeping with the most current standards in survey language around gender identity and racial/ethnic identity. For example, using the phrase "gender identity" rather than simply "gender," and creating categories beyond "male" and "female," including "non-binary." Based on an earlier recommendation, the City updated the



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

survey language to allow community members to complete the survey regardless of whether they had an interaction with police recently.

- 180)** Revise the survey language to align more with the tenets of procedural justice and police legitimacy. In future targeted community surveys, consider including questions that align with the tenets of procedural justice and police legitimacy, such as asking community members about their interaction with OPD and feeling respected, listened to, whether the matter was taken seriously, whether the situation was explained to them, and whether the decision was fair.
- 181)** Explore ways in which community members may be able to stay anonymous. One method may include creating a de-identified table to link to survey responses by collapsing as much data as possible (e.g., grouping ages, referencing neighborhood rather than address, etc.), to help protect individuals' identity. As an alternative, the City could explore the parameters of research conducted with higher education institutions that have Institutional Review Board (IRBs). If the City cannot guarantee anonymity with this survey, they may consider partnering with a college or university.
- 182)** Consider creating these targeted community surveys in multiple languages. The City plans to consider this after the initial rollout.
- 183)** Pilot any new or revised future targeted community surveys prior to rollout to ensure all potential issues are identified and resolved before full distribution. While an earlier recommendation for piloting these surveys with an internal City of Orlando group that had yet to see these surveys was not conducted, consider this process for any new or revised future surveys.
- 184)** Begin reviewing survey responses as soon as they are received to identify any unforeseen issues, such as unclear wording or questions that are consistently skipped.
- 185)** Consider the following approaches to improve response rates:
- Change the look of the postcard solicitation.
  - Change to language on the postcard solicitation.
  - Test different versions of postcard look and language to see if different styles had higher response rates.
  - Increase the number of individuals who are selected to receive a postcard solicitation.
  - Work with media to advertise the opportunity to participate in the survey.
  - Work on anonymity issues (discussed in an earlier recommendation) so that the solicitation could include language about privacy and confidentiality.
- 186)** Consider using survey findings to talk to officers about how to better communicate with victims. In the case of vehicle burglaries, the officer often told the victims they would be contacted by a detective, which never happened. This may be seen as “passing the buck” in order not to have to be honest with the victim (that their items will not likely be recovered). Or officers may feel apathetic after having many of these types of incidents that do not have a positive outcome. These types of survey findings may be beneficial for addressing officer communication and how to improve police-community interactions.

During these initial few months of design, several recommendations were made to the City of Orlando for improving these targeted community surveys. Some recommendations the City has already incorporated, others they plan to incorporate, and a few remain for consideration.

The final section of this report covers the communication assessment, focused on the OPD Public Information Office (PIO).



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

### XVII. COMMUNICATIONS ASSESSMENT (PIO)

The police department is the highest-profile department of the City, which makes it an important vehicle for illuminating City Hall's key priorities. The Media Relations Office must work in tandem with the City's Communication Team to ensure a unified message to the community. This report will explore ways to build a more unified approach to messaging to strengthen community relationships.

An informed and engaged community is one of the greatest assets of any police department and the Public Information Office (PIO) plays a vital role in both sharing information and sharing the opportunities for community members to be involved. We conducted an initial assessment of OPD's external and internal communications policies, practices, and procedures. Specifically, our team assessed how well the PIO leverages social media, local media, and other available communication channels to connect with the community.

It is clear the Orlando Police Department's Public Information Office is proactive in its efforts to share OPD's story on social media and with the local media. Both the manager and the employee understand the importance of their role in building new community relationships and strengthening current ones. Their collective experience in English-speaking and Spanish-speaking media is a valuable asset to the agency.

To complete this review, we first researched local news coverage and social media content about the police department and reviewed relevant policies. We then held a series of meetings with City of Orlando leaders and communication professionals in addition to local media representatives.

Through the assessment team's evaluation and interviews with OPD, City personnel, community members, groups, and stakeholders, some overall conclusions are apparent. Primarily, there seems to be a genuine recognition that in recent years, OPD and the City have expanded their attempts to seek community input of overall operations. Most community members who hold this view have pointed to the current Chief as largely driving these efforts and have expressed appreciation that they have been included. Further, the OPD recently made notable additions and changes to its Public Information Office to begin to bolster proactive information sharing to the community, using virtual platforms, such as social media.

While recognizing these efforts, many community members were concerned that the initial outreach received was also the final outreach received. While community members certainly felt they had been listened to, they were often left wondering how their input was used and whether organizational changes were in-line with their initial recommendations. In order to continue the positive steps taken to date, the City and OPD will need to ensure that Orlando's system of community engaged policing does not end with public input on ideas, but instead, public input must continue throughout the entirety of reforms.

Importantly, OPD could improve consistency in its release of body-worn camera footage. If the incident is an officer-involved shooting, the agency waits for the state agency investigating shootings to finish its preliminary report before releasing the footage. This takes a minimum of thirty days but often several months. Sometimes the agency waits for the State Attorney's Office to complete its investigation, which can take six months to a year. The consistent and timely release of the body-worn camera footage involving an officer-involved shooting or another high-profile critical incident is critical, within the parameters established by state law.

While efforts can currently be enhanced, the City and OPD currently possess most of the tools necessary to turn their efforts into a comprehensive community engagement plan and communications strategy. This will require more formalization and coordination between City and OPD entities and will require an expansion beyond a siloed approach. Primarily, this can be addressed through the creation of a comprehensive community engagement plan that incorporates how OPD, City, and community representatives will be included for all stages of engagement.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

Additionally, during a challenging time for law enforcement, OPD has managed to grow its social media engagement with the community, balance the coverage of extensive protests, and strengthen its relationship with the local media. These accomplishments should be applauded and then used as a foundation for taking its relationship with its community to the next level.

### RECOMMENDATIONS: COMMUNICATIONS ASSESSMENT (PIO)

#### POLICY

The Public Information Office follows OPD Policies 1635.1 Social Media and 1632.0 Orlando Police Website, as well as a Social Media Guide posted on each City of Orlando social media platform and an internal memo delineating communication duties. These provide limited basic direction for the office and lack any editorial direction or strategy. While formalizing daily operations is a necessary step, the Department should first focus its attention on a crisis communication plan.

- 187)** Further develop a collaborative written communication strategy with the City's Office of Communications.
- 188)** Include key messages to blend community priorities with the City's goals and OPD efforts to carry them out.
- 189)** Create a written protocol for handling the external and internal messaging during critical incidents, including officer-involved shootings and incidents captured on body-worn camera video.
- 190)** Develop a crisis communication plan to include a consistent and transparent process for releasing information.
- 191)** Consider a written protocol for how watch commanders should handle after-hours media inquiries to ensure consistent handling of public information.
- 192)** Establish protocol for consistent information-sharing and releasing body-worn camera footage following critical incidents.
- 193)** Consider establishing a formal protocol that establishes a pipeline of social media content development by the commissioner liaison officers to the Public Information Office.

#### TRAINING

- 194)** Train either specific watch commanders or select supervisors as back-up public information officers to prevent burn-out in a job assisting the media, which works around the clock, seven days a week.

#### IMPLEMENTATION

A comprehensive and strategic approach to communication is essential for keeping community members informed and engaged, but a department's handling of critical incidents can have a long-lasting impact on efforts to build mutual trust and establish productive partnerships for combating crime and improving the quality of life in Orlando. Therefore, the priority should be establishing a protocol for handling the messaging aspect of critical incidents. Formalizing the communication portion of these incidents will help the Chief or Commander overseeing the event to incorporate the public perspective, along with best law enforcement practices, into their decision-making.

- 195)** Expand outreach to marginalized community members.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

- 196) Consider having the Public Information Team meet weekly with the mayor's press secretary, the mayor's public safety advisor, and the City of Orlando director of community engagement and outreach.
- 197) Consider having the media relations manager maintain a monthly media calendar that is discussed at the weekly city communications meeting.
- 198) Consider creating a videographer/editor position that will provide the media relations manager more time to engage in long-range strategic planning.
- 199) Consider having the media relations manager attend the chief's staff meetings for a broader understanding of the agency and to share a different perspective with the policymakers that is more in line with the community perspective.
- 200) Consider having the Public Information Office receive internal crime bulletins to be aware of cases that could generate media coverage of the agency. Early notification will allow the media relations manager to plan proactively.
- 201) Streamline the video preparation process for the release of surveillance videos to assist with generating tips and combating crime.
- 202) Explore purchasing a video downloading software so that the Criminal Investigation's Division can quickly convert videos to share with fellow officers and the public.
- 203) Consider purchasing a closed captioning subscription.
- 204) Ensure the media relations and social media duties are both assigned to the Public Information Office to ensure the messaging is coordinated and consistent.
- 205) Consider ensuring the chief and media relations manager discuss the case before the media briefing to ensure the chief is aware of community concerns and questions about the incident.
- 206) Consider having the member of the Public Information Office who responds to a scene draft a detailed news release after live-streaming the briefing.
- 207) Consider archiving news releases on the City's website so that an account of what took place is available to the community and the next shift of media personnel.
- 208) Consider having OPD solicit feedback from community members to learn community expectations on the release of body-worn camera video.
- 209) Expand the media distribution list to include hyper-local media such as bloggers and other nontraditional online news services that target disenfranchised community members.
- 210) Review OPD's online portal systems and the staffing that supports this to determine if it can speed up the release of public records to working media.
- 211) Establish a system within OPD that involves more than one person and provides a consistent response time to community inquiries during business hours.
- 212) Consider embedding Twitter and a link to news releases on OPD's homepage.



## REVIEW OF THE ORLANDO, FLORIDA POLICE DEPARTMENT (OPD)

- 213)** Standardize the commissioner liaison officers' duties, goals, and expectations for each district. While these should be customized to each district, there should be overarching strategies that apply to all districts. This is important for measuring success, sharing it with community, and keeping officers focused on the priorities and motivated.
- 214)** Have the liaison officers use an information-sharing platform for tracking complaints, efforts to resolve community issues, crime prevention efforts, and community outreach that the supervisors from each district and the Public Information Office can access.
- 215)** Hold a monthly meeting between the commissioner liaison officers and the Public Information Office to formalize the flow of information between these two units. This will have multiple purposes and benefits.

### DATA

- 216)** Look for ways to simplify navigation on OPD's general open data portal to make the agency and data more accessible.

While the above-mentioned focus areas are useful to the agency and have generated considerable proactive coverage of the Department in the local media and social media, the next step in strategy progression is understanding the community's priorities for its police department and incorporating those into the Department's mission and goals to communicate these shared priorities in all forms of external and internal communication. This should include a plan for targeting disenfranchised community members who often live in the more heavily policed areas. If the community believes OPD shares its values, priorities, goals, and concerns, it creates an environment where mutual trust can grow. This can lead to increased information sharing about crimes and ultimately improve officer safety.

A comprehensive and strategic approach to communication is essential for keeping community members informed and engaged, but a department's handling of critical incidents can have a long-lasting impact on efforts to build mutual trust and establish productive partnerships for combating crime and improving the quality of life in Orlando. Therefore, the priority should be establishing a protocol for handling the messaging aspect of critical incidents. Formalizing the communication portion of these incidents will help the Chief or Commander overseeing the event to incorporate the public perspective, along with best law enforcement practices, into their decision-making.

### XVIII. CONCLUSION

This final report covers our comprehensive review of the organizational structure of the Orlando Police Department. The observations and recommendations outlined in the report are designed to help the Department take steps that will increase confidence and legitimacy within the community. While critical, many of the recommendations are first steps in a long process of building trust, improving internal accountability, and ensuring that police services are delivered in a manner that reflects the community's values. Increasing trust and accountability will improve the ability of Orlando police to work with residents to produce public safety, will reduce the use of force and will make the job of police officers safer and more satisfying. The City of Orlando is not alone in needing to examine its practices and make changes. It joins police agencies large and small throughout the country. Most importantly, the City must engage its diverse communities throughout this entire process; they must be given their rightful seat at the table when making policy decisions and developing a plan for change going forward.

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## XX. APPENDIX

### II. COMMUNITY ENGAGEMENT APPENDIX

#### ASSESSMENT BACKGROUND DETAILS

We have completed over 90 interviews and focus groups with OPD, other government personnel, community members and leaders, and community groups. This has included conducting virtual and in-person interviews with OPD field training officers and supervisors, OPD officers, the Citizen Review Board, and senior command staff of the Orlando Police Department. We coordinated virtual listening sessions (on 2/15/21 and 2/17/21 with 72 and 55 people, respectively) and interviews with community members, local officials, interest groups, attorneys, and Orlando police personnel.

Interviews and focus groups with additional community members continued in the months following these listening sessions, to include regular and ongoing dialogue with community leaders, members, and activists who have expressed a desire to have regular conversations over the course of this review. Furthermore, the assessment team conducted observations of community events held with OPD personnel and community members including youth groups. These themes and findings, however, may not represent the views of all community members and OPD personnel who engaged with the assessment team.

In this section of the report, we will detail the steps we took to engage community members, including listening sessions, and the feedback we received from that engagement. We will also discuss our engagement with OPD officers and criminal justice partners and the feedback we received from those conversations. Throughout, we will provide our recommendations. Overall, we found that while OPD has increased its community engagement in recent years, the Department needs to further develop a comprehensive community engagement plan and incorporate community policing as a department-wide philosophy and program. Community members expressed concerns about a lack of transparency and accountability in numerous areas of OPD’s operations. Both community members and OPD officers reported that they do not have opportunities to provide input on OPD policies. We recommend several steps OPD should take to address these and other concerns.

#### Community outreach & virtual listening sessions

Outreach to a broad spectrum of individuals was conducted to provide insights and recommendations related to OPD’s overall community interactions, as well as interactions with the African American community and other communities of color; persons living with mental illness; community members who identify as Lesbian, Gay, Bisexual, Transgender, and Queer or Questioning (LGBTQ); and the youth (among others).

During interviews, we ask the community members questions related to OPD's approach to community engagement, areas where OPD's engagement is most effective, trust and perceptions of the OPD, and community recommendations and suggested areas for improvement for OPD's community engagement. Additional interviews are covering the following community members and groups, such as nonprofits / service providers (e.g., advocacy and community-based organizations such as victims' groups, service clubs, support groups, issue groups, advocacy groups, community development corporations); faith-based groups; youth groups; women's groups; private businesses (e.g., for-profit businesses, local chamber of commerce) and commuters.

Virtual listening sessions with the Orlando community took place during February 2021. While the assessment team had engaged in over fifty interviews and focus groups with community members, organizations, and OPD members prior to these sessions, we recognized the importance of having an open invitation listening session to hear from the larger community. The purpose of the listening sessions was to gather the experiences and perceptions of community members on several topics involving the way that OPD engages with the community. The decision was made to conduct these sessions via Zoom for two reasons: out of an abundance of caution due to the COVID-19 pandemic and, secondly, to increase accessibility and opportunities for participation.

A variety of marketing strategies were employed to ensure the sessions were representative of the Orlando community. We developed a marketing flyer in English, Haitian Creole, and Spanish to disseminate. During our direct interviews with community and organizations, we informed all participants of the events and later followed up with them to leverage their networks, requesting that they circulate the flyer amongst their contacts. Additionally, the City of Orlando shared information about the sessions to their network, posted on their website and directed commissioners to advertise the events. Further, through a press release and targeted outreach, the assessment team was able to secure 5 local media interviews with Dr. Theron Bowman to discuss the sessions. This outreach culminated in an attendance of seventy-two (72) individuals for the first session and fifty-five (55) for the second, including our project personnel.

Each session began with a high-level overview of the engagement and assessment activities since early January 2021, along with information about how the team plans to continue community engagement through the remainder of the independent review. Following those opening remarks, participants were separated into two breakout rooms, each moderated by two members of the TBG team. This strategy was intended to ensure that all community members who desired to speak could do so. Each facilitator used three questions to elicit input and serve as a guide for the conversations:

- *What do you view as the roles and responsibilities of the Orlando Police Department?*
- *Do you believe the Orlando Police Department effectively engages and seeks input from the community?*
- *What do they do well?*
- *How can they improve?*
- *What can and should be done to improve policing services in Orlando and improve police-community trust and engagement?*
- *What proposed solutions and recommendations do you want to provide?*

The conversations in the small groups lasted for approximately seventy-five (75) minutes. During these discussions, participants shared several experiences, opinions, and recommendations. We have compiled the findings (areas of strength and areas for improvement) and recommendations below. These findings are compiled from the listening sessions, interviews, and focus groups.

During focus groups and interviews with OPD members, we asked about facets of community engagement within the department including, but not limited to training, internal messaging, external messaging, and incentives for engaging the community. We also asked questions to shed light on department members' personal approaches to relationship building within the community as well as the broader departmental philosophy and approach. We further asked about members' particular roles in community policing and how they carried those roles out. In interviews with criminal justice partners, our queries focused on the efficacy, frequency, and flow of collaboration and communication, along with the reputation of OPD within that partner agency and in engaging with the community.

## Community perceptions of OPD's community engagement have improved in recent years.

Several community members, representatives, and stakeholders shared that OPD's approach to community engagement has improved, particularly under Chief Orlando Rolón. While there were mixed opinions from community members about the status of OPD's overall engagement, there were a substantial number of community members who felt that the department had made significant strides in recent years. Several community members commented that the department is more willing to ask for input on policies. Other community members and stakeholders we spoke with were able to identify some of the programs that OPD had, including the (Explorer program and Dueling Dragons), as well as were aware of events that OPD members attended (including barbeques and other community events). There was a real sense that the department was trying harder to interact with the community though believed additional steps would be necessary to fully accomplish the goal. The assessment team also heard that the Department as an agency was much better than others in the state or country, though not exempt from the "bad apple" phenomenon. As one community member noted,

*"They are coming up with ideas and coming to us – the communication is more aggressive on their side."*

Another informed us of his view that Chief Rolón is attempting make OPD to be more visible, stating,

*"He wants to be visible to the community and they are starting to do that, and getting involved in various activities and events."*

One community member believed that the future too looks bright with some of the newer hires and stated,

*"I've heard 'times are changing' and have been reassured by officers."*

### ◀ Continue progress towards a community-oriented policing department.

## OPD often responds in a helpful manner to organizational stakeholders seeking support and assistance but fails to proactively engage with these organizations to build meaningful relationships.

Several organizational stakeholders expressed that the OPD has been helpful in responding to their requests for assistance. For instance, many noted their relationship with the Chief or other high-ranking members, indicating they could call on them for resolution when situations occurred. For instance, one individual from a faith-based group mentioned an experience with a threat against their son, saying

*"The school called a detective, and I called the Chief. They fully got all the information and were responsive. Not everyone has that relationship, though."*

Others commented on OPD help with event logistics. One organizational stakeholder relayed an experience involving a parade:

*"A contractor was hired to put up barriers but messed it up. OPD came to the rescue, solved the barrier misplacement, and saved the day. It was above and beyond."*

However, most of these stakeholders expressed that engagement with the OPD is often one-way, with community members asking OPD for assistance rather than mutually reaching out to one another.

### ◀ Conduct proactive outreach when aware that organizations are holding an event or program.

**Community members recognized that there are individual officers who engage with the community on a level that is to their satisfaction. There was consensus, however, that most officers do not.**

Attendees shared,

*“[OPD should] focus on community policing and having officers assigned to specific communities and create activities that encourage them to get to know the people in the community. [Activities include] midnight basketball leagues, town halls, neighborhood watch groups, personal safety lessons, police participation in food drops, and other community outreach activities.”*

*“I would like to see that, between 7 am and 7 pm, I know who is working and that I can recognize and call them by name, rather than some random person.”*

*“If we were more engaged with our watch commanders and able to report crime or do a simple wellness check, that would be a little bit more effective for me. I know that between these hours, these officers will be working my area rather than just having a random officer who is just riding through my neighborhood.”*

*“We need a portal where we can identify who is that officer in our community.”*

◀ **Integrate community policing and engagement into all OPD member’s daily roles and responsibilities.**

**OPD members consistently stated that community engagement is a priority but could not consistently define community policing.**

OPD members were able to readily identify some of the actions OPD takes to engage the community. This includes individual unit approaches, as well as sporadic street-level tactics, including handing out masks, gift cards, water, food donations, 7/11 Slurpee tickets, and other individual acts of engagement.

However, despite the overall endorsement of community policing and some of the actions taken by OPD members, the assessment team was unable to identify a consistent definition of community policing between members. Responses to the question “How would you define community policing” included positive communication during enforcement action, providing handouts, attending events, interacting with the business community, and “shaking hands and kissing babies – the PR side of policing.” In our interviews and focus groups, it was clear that OPD members were unable to articulate a cohesive operational approach, mission, or philosophy to community policing by the department. Although additional communication with the Chief and command staff will be necessary, none of the members we spoke with described a department-wide definition. Rather, community engagement appears to be a siloed approach with one member saying:

*“It’s good to have [specialty community engagement units] because it provides a buffer for the department.”*

In particular, the siloed approach is most apparent with the existence of the commissioner liaisons and the Neighborhood Policing Unit. Some Department members alluded to a belief that community policing was the responsibility of the liaisons or the Neighborhood Policing Unit and many officers did not present themselves as part of the work of these units. Liaisons rarely attend roll-call meetings to appraise officers of their present efforts, with one liaison indicating they had not attended a patrol briefing in six or seven years. Similarly, some members we spoke with did not believe the Neighborhood Patrol Unit was consistent with street-level members’ role. For instance, one member considered it “counter-productive” for members of the Neighborhood Policing Unit to be restrained from making arrests.

◀ **Institute community policing as a department-wide philosophy and program.**

Several organizational stakeholders expressed that the OPD has been helpful in responding to their requests for assistance. For instance, many noted their relationship with the Chief or other high-ranking members, indicating they could call on them for resolution when situations occurred.

## ◀ Consistently develop, track, and engage community partnerships.

This engagement by the City and OPD should involve all community members, and not be selective. For example, to enhance relationships between officers and community members, one participant suggested creating a forum in each district where community members meet with police officers assigned to their areas at least twice a year, *“We need a forum that pulls us together. We can talk to the officers in our community, and they can talk to us.”*

## Perceptions of OPD’s community engagement vary by community groups. Community members were mixed in their view of the role of OPD.

In speaking with community members, the assessment team asked them about the role they felt police should have in society and how well OPD reflected that role. Many responses indicated a belief that police should be acting in a community service role. For instance, one youth community member noted,

*“I feel like the police should be helping the community people, like the homeless.”*

Another discussed an officer helping school children cross the street as emblematic of such a role. Other community members noted the role of police being to de-escalate tense situations. One community member stated,

*“OPD’s job is to de-escalate...it doesn’t always have to be violent.”*

Others though felt the role of police was a mix of service and enforcement. For instance, one community member noted,

*“You have to protect and serve and uphold the law but there has to be humanity.”*

Other community members commented on the expectations of police by society, with one noting that there is “a lot of pressure on police to do everything” and that others (parents, the school system, etc.) needed greater participation to build a stronger society. Other community members commenting on the “do everything” expectation of police made similar comments that the role of police should be reduced. For example, one participant in the listening sessions said,

*“The role [of policing] has gotten too big. Officers will tell you that they are responding to more things. So, the questions isn’t how to make police friendlier, it’s how do we take some of these roles off of their hands”*

However, despite the belief of what the role of police was in society, many of these same individuals believed that OPD could improve in the areas found throughout the rest of this report (including limiting over-policing, increasing informal contacts, etc.). Therefore, regardless of the role envisioned, all community members agreed that community engagement was an important element.

- ◀ **Have regular dialogue with the community on what its vision is for the role of police in the City of Orlando.**
- ◀ **Ensure consistent outreach and engagement across organizations, groups, and individuals.**
- ◀ **Consider holding workshops within the various patrol districts to solicit community feedback on trust building strategies.**

Also, there appears to be a difference between the trust and relationships that OPD has forged with organizational stakeholders (e.g., the Rotary Club, Victims Services, the Florida Department of Children and Families, and the Jewish Federation of Greater Orlando, among others) and the trust and relationships built with grassroots groups and individuals.

Organizational stakeholders were quick to identify events OPD has helped with. For example, members of the Rotary Club indicated that OPD has helped with swan races and that the Chief speaks with the group on a nearly annual basis. In other areas, organizational stakeholders shared that the OPD provides external training to reduce the likelihood of crime and improve public safety. For instance, Commissioner Liaison officers provide

training for community members. Additionally, a victim services organization noted that OPD members provided training to bartenders on preventing date-rape drugs from being introduced to drinks.

On the contrary, grassroots groups and individuals shared consistent themes of concerns that the efforts from OPD were insincere or, at the least, incomplete. For example, some community activists expressed that OPD does not seek their input, choosing instead to go to black pastors, the National Association for the Advancement of Colored People (NAACP), and others who do not fully reflect their values. Although the assessment team has spoken with members of the clergy, we were not successful in reaching the NAACP to gather their perceptions.

In other areas, some community members also expressed an intentional distinction between engagement with more established groups and individuals compared with the average community member. Finally, some members we spoke with expressed a desire to have direct meetings with executive leaders from the City and OPD. Others noted that they had conducted such meetings though nothing came of them. While we understand that City and OPD executive leaders may be limited in opportunities to meet with all interested community members, such meetings might be facilitated through advisory committee wherein executives could hear community member ideas during formative conversations.

In other interviews, people we spoke with expressed perceptions of lack of follow-up related to ongoing consultation by OPD and the City. Through our interviews, we heard community members describe numerous recommendations that they had made in the past. For instance, community members provided the assessment team documents showing recommendations they had previously been made to the City, including but not limited to enhancing pre-academy psychological evaluations, re-evaluating the use of force continuum, enhancing the Citizen Police Review Board, reducing zero-tolerance enforcement tactics, greater training input by the community, and increasing transparency for uses of force, and ensuring accountability. A cursory review of this report should allow the reader to see that we have independently reached similar conclusions and have incorporated many of the same recommendations throughout this report. While the community members we spoke with were able to submit these recommendations, we heard frustration at the lack of response provided by the City.

#### ◀ **Plan, track, assess, revise, and follow-up consistently on community events.**

#### **Community members expressed frustration and a need for follow-up and action by the City and OPD.**

While some community members believed that OPD has been more willing to seek input, the assessment team also heard from several community members that involvement ended there. For instance, one clergy member informed us that “actions and words” were two different things. The clergy member continued,

*“When you go to meetings, they are for the team but it has not been proven with actions quite yet.”*

Additionally, one legal representative we spoke with said that OPD was:

*“Really good at optic and PR. They say a lot of the right things and make public appearances.”*

In other interviews, perceptions of lack of follow-up related to ongoing consultation by OPD and the City. For instance, one community member noted that he had spoken with the Mayor about creating a class for reviewing BWC footage. The community member’s recommendation included having a task force to review a sample of BWC footage and help create review metrics for the training.

As another example, in implementing the mental health counselor response model, one stakeholder group informed us that they were supportive of transitioning away from an officer-only response though did not agree with OPD’s plan to create a counselor-only model (they advocated for a co-responder model). However, the implementation of the program progressed without any ongoing engagement with the community since, as one City employee informed us, the City “felt they had a mandate from the community.” Although ideas for reform may come from the community, the development of reforms should include ongoing collaboration. Should the community not participate through the entire process, it is possible that reforms may ultimately become bastardized.

#### ◀ **Improve follow-up and implementation after collecting community input.**

Members of the community requested that OPD increase training in community policing and engagement, communication skills, implicit bias, cultural competency, procedural justice, de-escalation, and empathy. Additionally, members of the community mentioned that OPD should implement psychosocial evaluations for recruits, as well as regular evaluations throughout OPD members' career. Attendees shared examples:

*"The way we speak to each other may come across differently to an officer. Cultural competency would help officers understand slang and lingo used in communities because they don't understand us."*

*"You have to find ways to teach diversity and talk about these little nuances, so they don't make these mistakes when talking with somebody."*

*"The police can't be effective in these (African American) communities until the police understand what African Americans have had to endure by bad cops historically. Police, especially younger ones, don't have a deep understanding of the history. When police come into these communities, they must understand they are met with resistance, skepticism, and distrust."*

*"When officers are trained in trauma-informed approaches, they support community resilience, and they build emotional intelligence and know how to take care of themselves and their community."*

Further, community members expressed that OPD should review in-service, academy, and roll call curriculum for community engagement skills on an annual basis. At least one community member felt that the current training curriculum is "old and outdated" and that training should be annually reviewed. Additionally, another community member noted that OPD should also better inform community members about the type of training that officers receive and how that training is delivered (e.g., how often, by whom).

- ◀ **Begin teaching community policing in the orientation program and develop scenarios to train and test recruits on community policing and engagement.**
- ◀ **Provide ongoing in-service training for community-oriented policing topics. Consider training topics such as community policing and engagement, communication skills, procedural justice, fair and impartial policing, diversity, and cultural competency.**

#### **Community members expressed their concerns that OPD enforces the law disproportionately, particularly in minority communities.**

Many community members expressed officers were inconsistent in their approaches to policing based on demographics and socio-economic status. Community members felt that officers were more heavy-handed in their enforcement practices in minority communities. Furthermore, community members felt that officers were more disrespectful in African American communities and communities of lower socio-economic status.

*"What has bothered me continuously is the number of times African Americans are pulled over and usually it's for something like a light's out or something minor, but that often times seems to escalate."*

- ◀ **Ensure the concepts of procedural justice are part of police-community interactions including during traffic and pedestrian stops.**
- ◀ **Institute fair and impartial policing principals into OPD's community policing and engagement strategies.**

#### **Community members expressed concerns with the lack of transparency in the complaint process.**

Community members shared that when they filed a complaint, they did not receive a formal notification of the decision to conduct a supervisor referral or a formal investigation. In addition to providing notification regarding the initial case-handling decision, community members who had filed complaints in the past commented on the lack of information related to case updates, including the outcome.

- ◀ **Provide community members with an initial notification of the decision to investigate their complaint, and deliver regular updates during the complaint investigation, including a final notification of the outcome.**

**Community members expressed that OPD officers do not engage in enough casual, non-enforcement interactions with the community, and sometimes view OPD's engagement with youth as insincere.**

One of the most common interactions community members referenced with OPD was a traffic stop. Few community members spoken to could recall seeing officers walking the streets and engaging in non-enforcement activities. One of the most consistent community recommendations was increased informal engagement, including more visibility in the community and a focus on relationship building. Many felt that OPD could be better served by using bike or foot patrols, and by having officers getting out of their car, walking their beats, and engaging in polite conversation. As with other areas described in this report, OPD could use this opportunity to provide public education about police actions, recruiting youth for the Explorer program, or countering perceptions of selective enforcement.

Members of the Asian-American community that we spoke with expressed generally positive views of OPD. One individual we spoke with shared that OPD had agreed to provide self-defense training due to the uptick in anti-Asian violence. However, there was also acknowledgment that many Asian community members, particularly immigrants, may choose to bring issues to community leaders with the expectation that they would relay them to the police, as they may not feel comfortable doing so themselves.

Latino community members expressed mixed feelings about the department. Many shared that the department was on the right path with the hiring of Chief Rolon and the changes he has made. There was still recognition that more work must be done to ensure that the rank-and-file aligns with the vision put forth by the chief and remove "bad apples." One community member said, "Individual officers have to represent the core values of the agency. It should be a unified entity." Latino immigrants we spoke with acknowledged that, in part, mistrust of police in their communities was due to experiences with law enforcement in their home countries. However, they shared that OPD should be working to establish trust through non-enforcement contact, youth programs, and a more diverse workforce.

Similarly, members of mental health organizations shared that, while OPD has made strides towards better services for those living with mental illness, more should be done to ensure equitable treatment. There was the perception that both race and diagnosis can impact how an officer chooses to interact with an individual in mental health crisis.

Community members talked about OPD attending barbeques and other neighborhood social events. During such events, community members would observe OPD officers taking photos with young community members. Several community members then commented to us that officers would treat those same youth disrespectfully when they would interact with them on the street. Due to the dichotomy between the two interactions, the community members we spoke with viewed OPD's presence at neighborhood social events to be "photo-ops" for OPD. One community member we spoke with shared that OPD offered to bring school supplies to a youth center. However, officers arrived with a photographer, despite no prior agreement for OPD to take pictures with the children. As this situation followed a use of force incident by the department, the community member shared that they felt the department was attempting to counter with positive publicity.

◀ **Engage in sincere community outreach efforts.**

◀ **Create more regular non-enforcement interactions with community members.**

The assessment team views OPD documenting their engagement with the community through photographs as a positive aspect as it demonstrates the importance of engagement (like the idea that if you do not measure something, it is not important or does not get done). However, through successful implementation of other recommendations found in this report, including increased non-enforcement engagement, we believe OPD can begin overcoming the "photo-op" perception.

**Some community members expressed that there is a lack of accountability for officers who violate policy, particularly during use of force events (including lethal force events).**

There appears to be little belief from the community that officers are held accountable after violating policy, particularly during use of force events, including lethal force events. This is certainly not a phenomenon unique to Orlando, though it is significant issue that OPD needs to address. A few community members remembered seeing recent newspaper articles demonstrating officers being held accountable, and they feel there have been

improvements in (or better awareness of) disciplinary actions being taken in recent years compared to the past. However, other community members did not believe that investigations would be conducted in a fair way or result in a fair outcome. Further, when officers are disciplined, they are not excluded from receiving incentives, such as awards. Community members expressed that officer policy violations should be weigh more heavily in the department's decision-making process for such accolades.

Past and recent events continue to impact community perceptions of police accountability, which community members expressed in our conversations. For instance, the following police-community interactions provide examples of events that some community members expressed have impacted their views of the police. These events<sup>32</sup> received considerable community attention and media coverage as cited below.

- *In 2007, Officer Fernando Trinidad pushed Jessica Asprilla down a flight of stairs. Officer Trinidad was later found to have lied in in his report about the incident based on video but was only provided a one-day suspension.*<sup>33</sup>
- *In 2010, Officer Travis Lamont performed a “dynamic takedown” on 84-year-old Daniel Daley, breaking Mr. Daley’s neck. The use of force was found to be within policy.*<sup>34</sup> *Also in 2010, officers shot Rogelio Cortes, documenting in their reports that Cortes rammed patrol cars in an attempt to escape police. A surveillance video ultimately showed that an unmarked OPD vehicle hit Mr. Cortes’ vehicle, pushing it into the other patrol cars.*<sup>35</sup>
- *In 2015, the Orlando Sentinel published an expose stating that between 2010 and 2014, OPD used force at more than double the rate of similarly situated agencies. Additionally, between these years, the City of Orlando paid out \$3.3 million related to 47 lawsuits alleging false arrest, excessive force, and other allegations.*<sup>36</sup> *Also that year, Officer Peter Delio kneed Robert Liese while he was handcuffed in a holding cell. The force of the knee ruptured Mr. Liese’s spleen and Office Delio was fired. Officer Delio was later convicted of Felony Battery.*<sup>37</sup> *Also that year, Officers David Cruz and Charles Mays kicked, pepper sprayed, and tased Noel Carter while Carter was sitting on the ground. The uses of force were found to be within policy.*<sup>38</sup>
- *In 2017, Markeith Lloyd was punched, kicked, and hit with rifles during his arrest for allegedly murdering OPD officer Deborah Clayton. Reports and video of the incident indicated that Lloyd was unarmed, on his stomach with his arms stretched outwards at the time of force was used. Mr. Lloyd lost one of his eyes as a result of the force.*<sup>39</sup>
- *In 2018, Officer Neal Chase kicked a 13-year-old boy in chest after the boy stopped running from police and dropped to his knees. Officer Neal was given a 16-hour suspension, which he served through the use of vacation time.*<sup>40</sup>
- *In 2019, Officer Jonathan Mills was viewed on body-worn camera footage taunting teens during an arrest and acting in an unprofessional manner.*<sup>41</sup> *He was given a verbal reprimand, despite having previous sustained policy violations*

In other instances, officers appear to have been held accountable for their actions. For instance, a reserve officer was recently fired for arresting a six-year-old girl and placing her in zip-tie handcuffs because the standard handcuffs would not fit on her. The girl was led to the squad car crying. However, community members expressed there have been instances where officers are held accountable are not often made known to the community, leaving negative interactions with no discipline in the forefront of community members’ minds.

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<sup>32</sup> We did not independently review each of these incidents and determine that the use of force was unreasonable.

<sup>33</sup> <https://www.politico.com/news/magazine/2020/07/11/demings-vp-police-356573>  
<https://www.orlandosentinel.com/news/os-xpm-2011-01-13-os-club-paris-officer-verdict-20110113-story.html>

<sup>34</sup> <https://www.politico.com/news/magazine/2020/07/11/demings-vp-police-356573>  
<https://www.clickorlando.com/news/2012/08/17/orlando-police-officer-found-liable-in-excessive-force-trial/>

<sup>35</sup> <https://www.orlandosentinel.com/news/os-xpm-2013-09-30-os-orlando-settlement-police-shooting-20130930-story.html>

<sup>36</sup> <http://interactive.orlandosentinel.com/focus-on-force/main/index.html>

<sup>37</sup> <https://www.clickorlando.com/news/2016/11/09/former-opd-officer-sentenced-to-51-weeks-for-inmate-beating/>

<sup>38</sup> <https://westorlandonews.com/noel-carter-case-exemplifies-the-bad-side-of-orlando/>

<sup>39</sup> <https://www.orlandosentinel.com/news/crime/os-ne-markeith-loyd-officers-cleared-use-of-force-20200624-yld3f4rinfhzowej74xaki44a-story.html>

<sup>40</sup> <https://www.orlandosentinel.com/news/breaking-news/os-ne-neal-chase-investigation-use-of-force-20190330-story.html>

<sup>41</sup> <https://www.orlandosentinel.com/news/breaking-news/os-ne-jonathan-mills-disciplined-internal-investigation-20200114-gamogqfzxfanip4h4lp2bwts6e-story.html>

Community members expressed the desire for a stronger civilian oversight mechanism to prevent organizations comprised of former or current law enforcement from investigating OPD. Community members also requested more easily accessible data for arrests, officer-involved shootings, and officer discipline. Transparency builds trust and confidence. For example, the Department's Response to Resistance annual reports should be placed on the Department's website and be available for community members to review.

Several community members note that OPD should track metrics more transparently, beginning with demographic data as it pertains to arrests and officer-involved shootings. Others called for increases in data for accountability, with several community members believing this to be important to community trust.

*"While OPD does provide data on their website, it's not consumable for the general public. There are graphs and the ability to export raw data but unless you have access to other software, there isn't a way for the public to properly dig into trends and identify certain gaps. If there could be recurring sessions with the public to review the analysis of data, and proactively show the public that there are policies being created to address the gaps in the data, that would be helpful."*

**Engage in efforts to increase actual and perceptions of accountability and transparency within the department.**

- ◀ **Provide transparency with the community when possible, regarding department data, critical incidents and BWC footage, complaints, and their outcomes, and the Citizen Police Review Board.**
- ◀ **Enhance transparency by providing data and information about officer activity including arrests, force, traffic stops, and the accountability system.**

**The Citizens Police Review Board does not require training to be on the Board nor other prerequisites for service.**

The CPRB Policies and Procedures Manual do not identify any required training to be on the board nor other prerequisites for service. For example, CPRB members shared that they are not required to participate in a ride-along with officers to gain an understanding of their activities. OPD hosts a citizens' police academy in both English and Spanish, which is a four-week course designed to provide community members with increased comprehension of police duties, technology, and policies. Neither of the CPRB members the assessment team spoke with had participated in this training.

- ◀ **Institute a broader training requirement for the CPRB, including the requirement of members to conduct regular ride-alongs with OPD members to better understand their activities.**

**The OPD does not have public advisory committees to provide community and stakeholder guidance on topics of interest.**

During our assessment, one thing that stood out is the overall lack of public advisory committees. Public advisory committees can provide avenues of formal community review and input into a range of OPD operations. For instance, many agencies have a training advisory committee who can provide guidance for the training division. Other agencies have working groups or committees dedicated to other issues, such as issues related to use of force. For example, several community members expressed concerns regarding OPD's use of force continuum with one member expressing concern that under the continuum, "verbal resistance allows pepper spray." By having a policy review committee, this issue could be reviewed on a regular basis utilizing community member input. The assessment team did not note evidence of these advisory groups in any formal capacity, creating concern that OPD is implementing reforms without consistent input from community stakeholders.

In general, these public advisory committees are made of community member volunteers who should optimally be interested in police reform while representing a diversity of life experiences. Additionally, the groups should include individuals within OPD who have the rank and authority to facilitate the implementation of recommendations. Further, the assessment team heard from many community members that when topics concerning youth in Orlando arise, adults should provide youth the opportunity to directly share their perspectives and recommendations. Selection of members should be conducted jointly between community members and OPD/City, though we recommend selection does not turn into an exercise in *voir dire*, wherein each group selects members they believe will best represent their position. Rather, committee members should be selected based on ensuring a stratification of experience.

#### ◀ Consider establishing public advisory committees.

The advisory group should consider including youth members when relevant.

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### Engagement with other stakeholders & community policing

To obtain input from law enforcement, the assessment team obtained access to department members. There was emphasis placed on ensuring there was input from individuals amongst the various divisions and of different ranks. We also identified points of contact within other criminal justice partner agencies, surrounding law enforcement agencies, and the citizen oversight committee to solicit their feedback. The team was able to speak with several agencies but plans to conduct supplemental outreach with offices whose input is critical.

We conducted over 40 interviews and focus groups with OPD and government agency personnel, covering the following personnel, units, and agencies such as:

- OPD Command Staff
- OPD Field Training Officers
- OPD Supervisors
- OPD Officers
- Citizen Police Review Board
- City of Orlando, Mayor's Office
- City of Orlando, Code Enforcement
- State's Attorney's Office
- Florida Department of Corrections
- Orange County Sheriff's Office
- Florida Department of Children and Families

In addition to these interviews and focus groups with OPD and other government agency personnel, the assessment team also conducted a review of OPD policies and their 2019-2024 department strategic plan. Finally, the assessment team conducted a review and coordination of the data analysis and other operational assessments that may impact community policing and the principles of procedural justice, fair and impartial policing, and de-escalation

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### OPD has several positive community engagement efforts.

OPD has several positive community engagement efforts. While all officers recognize their responsibility for community engagement in a least some degree, the Community Relations Division within the OPD Special Services Bureau serves as the broader liaison to the Orlando community. The Division includes the Community Involvement Section, School Resource Officer Section, Neighborhood Watch and the Volunteer Program. During interviews, the OPD and City noted that the division engages in a variety of department-wide community engagement activities. OPD also shared that each of the four police divisions conducts its own community engagement projects, and partners with community groups such as Second Harvest Food Bank and Parramore Kidz Zone (among others). However, OPD interviewees expressed that some districts are better with community engagement than others.

A variety of community engagement efforts, activities, and programs that the City and OPD have engaged in are contributing to the positive perception by some community members. For example, OPD has participated in the annual National Night Out, conducted women's self-defense classes, held a teen police and fire academy, conducted citizens' police academies, and partnered with local sports teams. It has also managed a number of

community programs, including Operation Positive Direction, Tough Mudder, Ballin' after Dark, Seniors First, and held a number of charitable donations (e.g., turkey giveaways, back to school giveaways, Halloween drive-thru, and Christmas drive-thru).<sup>42</sup> While COVID has impacted OPD's ability to maintain this level of engagement and some programs appear to have been discontinued (for instance, Ballin' after Dark), we note that there are an appreciable number of engagement efforts being conducted by OPD. In addition, OPD has Commissioner Liaisons who are assigned to each of Orlando's commissioners. In addition to the Commissioner Liaisons, OPD recently re-started a Neighborhood Patrol Unit (NPU) whose primary focus it is to engage with community members.

OPD's Crime Prevention Unit – within the Community Relations Division – consists of six sworn crime prevention officers who serve as liaisons to Orlando's six City Commissioner districts. Crime prevention officers engage in an analytic process through Crime Prevention Through Environmental Design (CPTED) projects. In this respect, they work with businesses in their districts to identify preventative solutions to crime. Crime prevention officers are sometimes assigned work through OPD's Planning Unit, though the work conducted by crime prevention officers is not captured in any systematic way. Crime prevention officers receive direction from OPD's Crime Analysis Unit, which provides a weekly report of major commercial burglaries that occurred over the weekend. The crime prevention officers can use this information to work with the businesses to reduce the likelihood of being repeat victims.

OPD's Volunteer Program maintains an Excel spreadsheet listing all volunteers and events. Volunteers sometimes ride in marked cars and, if needed, use the radio to call in events. These specific activities get recorded in the CAD, but general volunteer presence and non-CAD events are not captured in any data system. The Neighborhood Watch Unit consists of civilian employees who are trained to coordinate neighborhood watch activities, handle neighborhood watch meetings, and conduct engagement with the faith-based community. The Neighborhood Watch Unit does not currently track data in a systematic manner. OPD also has a new Neighborhood Patrol Unit, which goes into neighborhoods and builds relationships within the community. This unit uses marked cars but is not assigned calls. The existing data system does not fully capture the efforts of the Neighborhood Patrol Unit and the measurement of unit's effectiveness.

**OPD's mission, "Keep Orlando a safe city by reducing crime and maintaining livable neighborhoods," does not incorporate the community or community policing principles.**

A police department's mission statement is a commitment to their overall focus and purpose in providing policing services, and flows downward through their vision and values, as well as through their department-wide strategic plan.

◀ **Incorporate community policing principles, the community, and partnerships into OPD's mission statement.**

**While OPD's 2019-2024 department strategic plan includes a community engagement component, it requires further development, communication to OPD personnel, and follow-up.**

A police department's mission statement is a commitment to their overall focus and purpose in providing policing services, and flows downward through their vision and values, as well as through their department-wide strategic plan.

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<sup>42</sup> See for example, Operation Positive Direction: <https://www.orlando.gov/Public-Safety/OPD/Community-Programs/Operation-Positive-Direction#:~:text=In%202009%20the%20Orlando%20Police,successful%20paths%20for%20their%20future.>

While OPD partakes in several positive community engagement activities, OPD's current approaches to community engagement appear to be siloed, indicating a lack of a comprehensive community engagement plan. Should OPD decide to implement the recommendations found within this report, they should not do so piecemeal. Rather, when planning advisory groups, evaluation metrics, and community representatives, OPD should undertake a meticulous evaluation as to how they will all combined into a comprehensive community engagement plan.

◀ **Further develop a department-wide community policing strategic plan. Include action items, deadlines, measurements, and accountability components.**

A department that wants to better understand community expectations must first understand the basic principles of Procedural Justice. Procedural justice refers to the idea of fairness in the processes that resolve disputes and allocate resources. It is a concept that, when embraced, promotes positive organizational change and bolsters better relationships.<sup>43</sup>

Procedural justice speaks to four principles, often referred to as the four pillars:

- Fairness in the processes
- Transparency in actions
- Opportunities for voice
- Impartiality in decision making<sup>44</sup>

Police departments must work constructively and collaboratively with the community to problem solve, and to increase community trust and confidence. Members of the community want to know that their police officers are working within the framework of Constitutional Policing. Given the importance of police-community engagement, OPD should develop a data system to capture information about its community policing activities. An effective system would build upon OPD's current data collection and reporting on community policing. This would ensure that OPD's different community policing activities are aligned and would allow the department to communicate its engagement efforts more effectively to the public. This data should be integrated into the management analytics platform mentioned above.

**OPD's community policing units, programs, and operational strategies are siloed, and their mission and goals are not well communicated to the department.**

While many of OPD's community policing units, programs, and operational strategies are conducting positive community outreach and engagement efforts, other areas of the department are unaware of their mission and goals. Furthermore, there is no collaboration of these community policing and engagement efforts across OPD units and personnel.

Furthermore, the Department should consider adopting a policing philosophy that commits every district officer and detective to co-produce public safety, community engagement, and to be responsible for their geographic assignment areas and know the unique characteristics of their districts.

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<sup>43</sup> Final Report of The President's Task Force on 21st Century Policing 10 (May 2015) ("Research demonstrates that [procedural justice] principles lead to relationships in which the community trusts that officers are honest, unbiased, benevolent, and lawful"), [https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf).

<sup>44</sup> See, generally, <https://cops.usdoj.gov/proceduraljustice>.

Also, despite a large, limited English proficient, Spanish-speaking community, there is no mechanism to assign Spanish-speaking officers to the beats in which they are most likely to use their language skills. Orlando Worth, including its Title VI communities. It is critical that the Department focus on the range of diversity that will make the Department reflect the community it serves. In addition to race and ethnicity, special efforts should be made to recruit women, LGBTQ persons, and persons of all faiths and backgrounds. Further a June 2020 news article reported,

*"In the city of Orlando, where recent marches against police brutality and racial inequities drew thousands of people, 37% of residents are white, but about 60% of Orlando Police Department officers are, according to Census and state data. Black residents account for 24% of the city's populace but 14% of its police."*<sup>45</sup>

Community members of various backgrounds shared that increasing diversity would positively impact their perception of the department. For example, community members who represented immigrant communities expressed the sentiment that expanding the amount of bi- and multi-lingual officers would improve the caliber of services that immigrant community members receive.

- ◀ **Ensure the mission and goals of the community policing units, programs, and operational strategies feed into the department's overall community policing philosophy and strategic plan.**
- ◀ **Communicate OPD's mission and goals, and the department-wide community policing philosophy, strategic plan, and program top down throughout OPD.**
- ◀ **Institute a geographic policing model.**

**OPD officers and community members do not have formal avenues for providing input on policy and training.**

OPD policies are provided online for community members to be able to review them, but no mechanism exists for policy recommendations on a regular basis. Additionally, there are no formal avenues for reviewing or providing input on training. While community members can attend the citizens' academy, which includes pieces of the training that officers receive, no mechanism exists for community member input on training during the development or delivery stages.

For example, community members expressed that OPD uses less than lethal and lethal force in instances where de-escalation techniques could have avoided the use of force. Whether these actions are within policy or not, community members expressed that they are left with the perception that OPD officers are overly aggressive. Community members felt strongly that OPD should place more departmental emphasis on de-escalation. Other recommendations included amending the current use of force continuum from four (4) levels to six (6) and amending the use of force policy to prevent officers from discharging their firearms at those fleeing arrest. At the most basic level, OPD could solicit community input on policies and training through a formal process and provide feedback on recommendations for community members to feel they have been heard. This can be accomplished as both a universal review period, as well as targeted solicitation through the commissioner liaisons.

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<sup>45</sup>Central Florida police forces whiter than communities they serve": <https://www.orlandosentinel.com/news/crime/os-ne-orlando-police-agencies-racial-diversity-20200625-5lmo2awyazderesw7kuyypaovu-story.html>

OPD and the City should also utilize the input of the police members who will be impacted by organizational change. In our conversations with OPD members, we heard that members have no current formal avenue to providing comments on policies or training. Nor did our conversations with OPD members reveal any formal structure for providing recommendations for improving overall operations or improving the department's community engagement approach. While some members informed the team that they would be able to provide comments to their supervisors, they also noted that their suggestions might not make it "off the supervisor's desk."

- ◀ **Engage with officers and community members to discuss OPD's policies and training and allow opportunities for citizen input regarding policies and training when appropriate.**

**OPD's community policing efforts are generally not data-driven, nor does information-sharing regularly occur across units, programs, and officers.**

Progressive police agencies collect, analyze, and plan their community policing and crime strategies using data, which helps inform review, and improve these efforts for providing better policing services.

- ◀ **Ensure community policing efforts are data-driven, and that information-sharing regularly occurs across units, programs, and officers.**
- ◀ **Develop a data system to capture information about its community policing activities.**
- ◀ **Collect data including bias free policing metrics on street-level interactions with community members.** An effective system would build upon OPD's current data collection and reporting on community policing.
- ◀ **Use community policing data to ensure OPD's activities are aligned and communicated to the public.**
- ◀ **Integrate community policing data into analytics platform.**
- ◀ **Standardize race and ethnicity data collection across all systems.**

Specifically, race and ethnicity should be collected separately, and race categories should be standardized across systems and avoid use of outdated terminology.

**Community policing efforts are measured by patrol metrics rather than problem-solving metrics.**

Patrol metrics are naturally focused on different areas of success than problem-solving efforts required for community policing strategies. Thus, it is inappropriate to use patrol metrics without incorporating problem-solving metrics where needed.

- ◀ **Develop and apply problem-solving metrics for measuring community policing efforts. Incorporate these problem-solving metrics into annual performance appraisals.**
- ◀ **Hold supervisors and their officers accountable for the community policing and problem-solving metrics.**

### Police recommendations

- ◀ OPD should reach out to various ethnic community groups to ensure we are meeting their needs.
- ◀ OPD should expand the teen driving academy.
- ◀ Identify the societal expectations of a police officer and then look at how OPD aligns with that.
- ◀ Officers should reflect the communities that they patrol.
- ◀ OPD should provide more diversity training so that officers are culturally competent.
- ◀ OPD should explore instituting community engagement goals for officers that are broad enough to encourage autonomy.
- ◀ Sergeants should encourage officers to make non-enforcement contact and build rapport with community members.
- ◀ Newer officers should receive ongoing specialized training addressing their community engagement using their body worn camera footage as a coaching tool.
- ◀ Officers should meet with groups of community members to talk through issues. OPD should hold these meetings in various areas as opposed to centralizing at City Hall.

### Community member recommendations

- ◀ OPD should hear directly from the youth about their experiences and recommendations moving forward.
- ◀ OPD should make the community aware of the good cops, along with the bad cops.
- ◀ Officers should receive community-policing training modeled in field training to reinforce academy training.
- ◀ OPD should work with the State Attorney's Office, Public Defenders and community activists to:
  - Get an understanding of how the criminal justice system impacts their ability to work productively in the communities they serve;
  - Come to an understanding of policies that impact the communities they serve;
  - Look into how these spaces can assist in thwarting crime, and;
  - Restore public trust as the legal community works together.
- ◀ OPD should adapt a mentality of rejecting punishments that does not reduce violence and continually ask themselves how their decisions help the communities they serve.
- ◀ OPD should create data-driven policies; specifically disparities in shootings should help inform policy.
- ◀ OPD should institute educational and residency requirements for officers.
- ◀ The Citizens' Review Board should meet at a time that is ideal for working community members.
- ◀ The levels in OPD's use of force continuum should be increased from four to six.
- ◀ The city, the police, and the community should engage in more training to better understand the city's history, along with racial reconciliation.
- ◀ OPD should market their Explorer program more effectively and intentionally.
- ◀ OPD should engage in purposeful recruitment to ensure gender and ethnic diversity in personnel.
- ◀ OPD should take less time to release body-worn camera footage to the public. OPD should ensure officers are engaging in non-enforcement contacts outside of squad cars.
- ◀ School resource officers should receive more training in empathy and cultural competency so that their engagement with the youth is more meaningful.
- ◀ OPD should ensure that officers are not engaging in specious traffic stops.
- ◀ OPD should make The Bowman Group's report public, have a press release, and invite the community to discuss it.
- ◀ OPD officers should be more empathetic to community members in general.
- ◀ OPD should better leverage the strengths of community partners by proactively reaching out to them for feedback, recommendations, and training.
- ◀ OPD should ensure that they communicate publicly about actions taken in response to listening sessions and community meetings.
- ◀ OPD officers should be required to report other officers who engage in improper behavior.
- ◀ The public should have access to all OPD data without being charged for it.
- ◀ The virtual component of community meetings should remain after the COVID-19 pandemic is over to ensure access for more community members.
- ◀ OPD should hold a Parramore version of the Citizen's Police Academy.
- ◀ The powers and influence of the Citizen's Review Board should be increased.
- ◀ Officer complaint information should be publicized.

### III. USE OF FORCE APPENDIX

Police officers are among the few public officials authorized to use force, including deadly force, in their official capacity. The execution of stops and arrests “necessarily carries with it the right to use some degree of physical coercion or threat thereof to affect it.”<sup>46</sup> The authority to use force, while broad, is not unlimited. The Fourth Amendment establishes the right of “people to be secure in their persons” and to be protected from “unreasonable searches and seizures.”<sup>47</sup> It has long been understood that the Fourth Amendment places limits on the use of force by law enforcement.

Force, to be constitutional, must be objectively reasonable.<sup>48</sup> Objective reasonableness is determined by a series of factors, including: “the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight.”<sup>49</sup> Any use of force is “judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.”<sup>50</sup>

The use of force is also among the most controversial areas of policing and understandably is a flash point in community relations. Even when the force used is constitutional, it can be contrary to the values of the community or the policies of a department, and even a small percentage of unnecessary or excessive uses of force can undermine trust and legitimacy in an entire department. Moreover, force that may be legally authorized may not be appropriate and may well be viewed as illegitimate by members of the community. Indeed, many police policies or uses of force are “lawful but awful” practices that disserve police and the public. In 2015, the President’s Task Force on 21st Century Policing discussed the negative effect of inappropriate uses of force on community perceptions.<sup>51</sup> The President’s Task Force recommended policies and trainings on use of force that emphasize de-escalation.<sup>52</sup> Likewise, community members expect that police officers will make concerted efforts to avoid and minimize the use of force and that force will be limited to those circumstances in which alternatives to force cannot be safely applied.<sup>53</sup>

The Department provides its officers with policy guidance and training on the appropriateness of the use of force. The policies and training recognize that the constitutional standard of objective reasonableness is the legal foundation when deciding whether to use force, but that officers’ authority to use force is more limited. The sole question under the Department’s policy should not only be is use of force lawfully authorized, but it should include an assessment of whether it was appropriate under the circumstances and whether it could have been avoided through de-escalation or changes in tactics.

The Response to Resistance policy, as written, does not completely conform to modern policing standards with respect to responding to and investigating officers’ use of force. The Department should consider implementing the recommendations below to strengthen its force assessment apparatus.

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<sup>46</sup> Terry v. Ohio, 392 U.S. 1, 22 (1968).

<sup>47</sup> U.S. Const. amend. IV.

<sup>48</sup> Graham v. Connor, 490 US 386 (1989)

<sup>49</sup> Id. at 396.

<sup>50</sup> Id.

<sup>51</sup> Final Report of The President’s Task Force on 21st Century Policing 36 (May 2015) (“Use of force, even when lawful and appropriate, can negatively influence public perception and trust of police.”), [https://cops.usdoj.gov/pdf/taskforce/taskforce\\_finalreport.pdf](https://cops.usdoj.gov/pdf/taskforce/taskforce_finalreport.pdf).

<sup>52</sup> Id. at 20.

<sup>53</sup> See e.g., Mourtgos & Adams, Assessing Public Perception of Police Use-of-Force: Legal Reasonableness and Community Standards, Justice Quarterly (October 2019), <https://www.tandfonline.com/doi/abs/10.1080/07418825.2019.1679864>.

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## ASSESSMENT BACKGROUND DETAILS

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### OPD Policy, Procedures, Document Review & Research

- OPD Policy 1604.11 Discipline
- OPD Internal Affairs Standard Operating Procedures
- OPD Internal Affairs Training Manual
- OPD Regulations Manual
- OPD Policy 1140.6 Mobile Video Recording Systems
- OPD IA Job Descriptions
- Fraternal Order of Police Collective Bargaining Agreement
- Citizens' Police Review Board Policies and Procedures
- Florida Statute Title X; Chapter 112

### Interviews

- OPD Internal Affairs Staff
- City of Orlando Legal staff
- Citizen Police Review Board members

### OPD Case Reviews

36 use of force investigations covering six use of force types:

- Tackle/takedowns
- Strikes
- Deployment of electronic control devices (ECD)
- Canine apprehensions
- Use of chemical agents
- Impact weapons

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## POLICY REVISION OBSERVATIONS

### ◀ Develop separate weapon-specific policies

OPD should make its suite of use of force policies more comprehensive and complete by drafting new weapon-specific policies. Currently, OPD lacks written directives or policies on Electrical Conducted Devices (“ECDs”) and Chemical Agents. According to OPD’s 2019 Response to Resistance Summary Report, more than 40% of officers’ uses of force involved the use of an ECD. Given officers’ reliance on this tool, the current RTR policy does not provide sufficient guidance. Some common best practices governing the use of ECDs, such as limitations on the number of cycles and the requirement to reassess whether additional cycles are necessary, are absent from the RTR policy. We reviewed instances where officers deployed more than three cycles of the ECD, and these uses of force were approved by district-level reviewers. Separate policies for these tools will allow the Department to provide officers with more detailed guidance that is consistent with best practices. In addition, the Department can more fully outline its accountability measures for these weapons. For example, the current section on Chemical Agents does not describe how OPD determines whether an officer’s use was within policy and training.

### ◀ Improve the structure and format of the policy

As written, the RTR policy covers a broad range of topics, including restraining tools and techniques, guidance on more than a dozen weapons, and the force review and investigation process. Given the breadth of the policy, it’s critical that the numeration and formatting are consistent throughout. Each paragraph should be numbered consecutively to allow for quick referencing. OPD should also clarify early on that the RTR policy is part of a set of force-related policies. OPD can accomplish this by identifying other relevant policies and including cross references. For example, the first section of the policy that documents the effective date and other details about the policy’s adoption should also list other relevant or affected policies, including OPD’s canine apprehension policy.

## ◀ Ensure definitions are complete

The body of the RTR policy refers to numerous tactics or weapons that are not listed in the “Definitions” section of the policy, including Chemical Agent(s), Ripp-Hobble, Four Point Restraint, and Explosive Devices. As noted above, canine apprehension and canine deployment are not currently defined or covered in the RTR policy. In addition to undefined tactics, the RTR policy refers to other important terms that are never defined, including lethal and non-lethal weapons and “defensive impact instrument.” Several definitions that are currently included in the Definitions section would benefit from examples. For instance, including examples would provide officers with more clarity on the differences between active and passive resistance and hard and soft control.

## ◀ Clarify who is authorized to use specific tactics and under what circumstances

Some of the tactics covered in the current version of the RTR policy do not provide sufficient guidance about who is authorized to use the tactic or weapon and under what circumstances its use is permitted. For example, in the introductory paragraph of the “Weapons” section, the policy notes, “only weapons (lethal and non-lethal) and ammunition meeting Agency approval are to be used in the performance of an employee’s duty (both on and off duty).” This statement is too broad. Instead, it should more clearly identify the weapons that are authorized to be used by trained employees off-duty. As written, the language implies that a SWAT officer is permitted to use special munitions while off-duty.

Section 5.4.1 addresses the use of flashlights and suggests that an officer has the option of using their flashlight as a defensive impact weapon. Permitting flashlights as an alternative to a baton raises a series of concerning questions that aren’t addressed in the policy language, including whether officers are trained in using their flashlights as an impact weapon.

Finally, some tactics and equipment are more likely to impact the community’s view of the Department, create the potential for a higher risk of injury, and increase the Department’s civil liability. The Ripp-Hobble, when used to achieve the “four-point restraint” (more commonly called hog-tying), places the arrestee at considerable risk of positional asphyxiation. This increases the risk of serious injury and the Department’s potential liability. Moreover, this is a dehumanizing tactic that will be viewed negatively by the community.

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## STRENGTHENING OPD USE OF FORCE STANDARDS

OPD’s policy distinguishes between lethal and non-lethal weapons but does not explicitly define these terms or otherwise categorize uses of force based on their severity. Nor does the Department deploy a special team to investigate serious uses of force. A best practice adopted by some departments is categorizing uses of force based on severity and the level of investigation required, delegating higher categories of force for investigation by an impartial, well-trained, force investigation team.<sup>54</sup>

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<sup>54</sup> See, for example:

### LEVEL 1

- Pointing a firearm at a person
- Hand control or escort techniques
- Pressure point compliance techniques
- Takedowns that do not result in actual injury or complaint of injury
- Use of an impact weapon for non-striking purposes (e.g., prying limbs, moving or controlling a person)

### LEVEL 2

- ECD Deployment (3 cycles or less)
- OC Deployment

### LEVEL 3

- Any strike to the head (except for a strike with an impact weapon)
- Use of impact weapons where contact is made (except to the head), regardless of injury
- Destruction of an animal.

### LEVEL 4

A Force Investigation Team's primary objective is to provide a standard, comprehensive, and neutral investigative response to serious use of force incidents. This team or Unit should consist of individuals with a high level of expertise, independence and investigative skills to ensure that force incidents are correctly resolved.<sup>55</sup> The Unit may also ensure that policy, training, equipment, and tactical mistakes are identified and corrected. Force investigations may result in criminal charges, administrative action, or both.

Serious uses of force that should be investigated by a Force Investigation Team include the following:

- All firearm discharges
- All uses of lethal force
- All uses of force requiring hospitalization, resulting in injury or complaint of injury
- All head strikes with impact weapons
- All uses of force resulting in loss of consciousness
- All canine bites
- All choke/neck holds
- All ECD applications longer than 15 seconds
- All vehicle pursuits resulting in death, serious injury or injuries requiring hospitalization

Peer departments have incorporated a Force Investigation Team or Unit within their Professional Standards, Public Integrity, or Internal Affairs Divisions. A dedicated Force Investigation team or Unit garners community support and enhances the Department's credibility. Its functions also should include duties to compile, track, and analyze all use of force incidents, culminating in an annual report to be shared with the general public.

In order to effectively investigate serious uses of force, OPD should develop and appropriately staff a force investigation team. The vast majority of use of force incidents are committed by first-line officers, usually while conducting their patrol duties and responding to calls for service.<sup>56</sup> Serious use of force events should be treated like serious crimes and, as such, they demand robust investigative protocols. Most police departments are 24/7 service organizations that require a 24/7 response capability.

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- All uses of lethal force
  - All critical firearm discharges
  - All uses of force resulting in serious physical injury, complaint of injury or requiring hospitalization;
  - All neck holds;
  - All uses of force resulting in a loss of consciousness;
  - All canine bites
  - More than two deployment of a ECD on an individual during a single interaction, regardless of the mode or duration and whether the deployments are by the same or different officers, or ECD deployment for 16 seconds or longer, whether continuous or consecutive
  - Any strike, blow, kick, ECD deployment or similar use of force against a handcuffed subject
  - Any vehicle pursuit resulting in death, serious physical injury or injuries requiring treatment at a hospital.

<sup>55</sup> See, e.g., United States Department of Justice, Community Oriented Policing Service, Officer-Involved Shootings: A Guide for Law Enforcement Leaders 4, [https://www.theiacp.org/sites/default/files/2018-08/e051602754\\_Officer\\_Involved\\_v8.pdf](https://www.theiacp.org/sites/default/files/2018-08/e051602754_Officer_Involved_v8.pdf); recommending a designated team to respond to officer involved shootings because "a designated and trained agency response team can conduct the investigation both thoroughly and promptly, which benefits both the community and those involved in the incident."

<sup>56</sup>In his pioneering classic "The Functions of Police in Modern Society," Egon Bittner argues that the role of police is to address all sorts of human problems when and insofar as their solutions do or may possibly require the use of force. It is therefore reasonable to expect that officers may use force as an everyday part of their job.

Force Investigation unit members should have job experience commensurate with supervisory skills. Typically, this means an officer at the sergeant's rank. The lead investigator should have broad knowledge of departmental policies, procedures, crime scene preservation and processing, evidence collection and preservation, and interviewing and interrogation skills. A supervisor interviewing first-line officers and detectives may command a higher level of respect from subordinates. It also sends a very clear signal to the community that the department takes investigating force incidents seriously. Staffing the unit in this manner also demonstrates that the department is dedicated to having impartial, independent investigations of serious force incidents that are conducted by professional career employees.

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## OBSERVED GAPS IN DISTRICT LEVEL REVIEWS

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### Force statements

OPD's policy explicitly requires that the narrative portion of the Response to Resistance report, "is to be completed by the supervisor." However, these and all incident reports should contain written force statements of the involved and witness officers. A narrative written by a supervisor on behalf of an involved officer or witness officer may be less reliable than a first-hand account and could potentially leave facts open to interpretation. In the investigations we reviewed, officers typically wrote a "supplement" or "incident report" to document their use of force. OPD considers the officers' written supplementary and incident reports to be official force statements. Incident reports are typically documenting the events of a violation of law and are instrumental in criminal court proceedings. However, this form of reporting is generally inadequate and does not constitute a comprehensive stand-alone force statement for administrative use of force investigations. Force statements are kept in the administrative force investigation case file, whereas supplementary reports generally remain with the incident report for prosecution purposes. In some instances, supplementary reports involving multiple officers appeared to include text that was simply cut and pasted. This prevents the investigator from rendering an accurate finding at the completion of the administrative use of force investigation.

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### Witness interviews

When possible, a statement (recorded if necessary) should be taken from the individual on whom the force was used and any other witnesses to the force incident. We reviewed numerous use of force investigations where supervisors failed to actively seek out witnesses to the use of force, failed to interview nearby witnesses, or conducted superficial interviews. One incident involved officers' use of chemical spray to break up a fight in front of a crowded nightclub. The body worn camera footage shows a large group of people standing nearby when officers used the chemical spray and shows one witness reporting to an officer that he had the whole incident recorded on his phone. The investigating supervisor reported that there weren't any non-involved witnesses to interview. In another incident, an officer was making an arrest of an intoxicated person when the subject of the force assaulted the officer. The officer punched the subject of force in the face and performed a takedown. The subject of force received an injury and his wife, who was on the scene, told the supervisor that she had a video of the entire event. She was allowed to leave without being interviewed. Thus, the investigating supervisor failed to conduct a critical interview, get contact information for later follow up, and collect important video evidence that would have provided an accurate accounting of the force incident.

In force investigations where supervisors did interview witnesses, some of the witness interviews were cursory or otherwise incomplete. In one incident, an 18-year-old who was driving a stolen vehicle abandoned the vehicle and fled. A K-9 officer searched the area and apprehended the female as she hid under a vehicle at a residence in the area. The K-9 stayed on bite as the female was attempting to come out from under the vehicle. Despite the seriousness of this use of force, the reviewing supervisor interviewed a non-involved witness for about 1 minute using several leading questions.

In another incident, a man suspected of burglarizing a vehicle began to flee from officers and hid behind bushes. He was apprehended and bitten by a K-9. Following the use of force, the investigating supervisor attempted to interview the man. He was handcuffed and fully compliant. There were at least half a dozen officers standing nearby, so the man requested to speak with the supervisor somewhere more private. The man did not pose a threat, but the supervisor responded, "this is about as private as you're going to get." The man then refused to speak to the supervisor about the use of force. In his investigation report, the supervisor stated, "The offender . . . did not wish to talk to me about the incident" without further detail.

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## Photo and video evidence

Numerous force investigations we reviewed were missing evidence that should be required of all investigations, including photos of injuries, body worn camera footage from involved and witness officers, and videos from external sources that captured the use of force. In one incident we reviewed, an officer responded to a domestic violence call. A man was seen punching a woman while they both sat in a car. The officer ordered the man to exit the vehicle and get on the ground. The man reportedly exited the vehicle but started walking towards a witness. The officer reported that he deployed his ECD once, which brought the man to the ground, and then deployed a second ECD cartridge when the man attempted to get back up. Another officer who arrived on the scene expressed doubts about whether it was necessary for the first officer to deploy two ECD cartridges. Multiple witnesses were interviewed, but none of them were asked whether the man tried to get up after the first ECD deployment. The man who was subject to the use of force and the domestic violence victim who witnessed the use of force were both interviewed at length in Spanish. There was no translation of their interviews in the investigating supervisor's report. Instead, the report included a couple of sentences summarizing what they said about the initial use of force. The involved officer's body worn camera footage was important evidence in this incident, but the supervisor didn't mention the officer's failure to activate his camera or the absence of BWC footage anywhere in his report.

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## Ensuring the appropriate supervisor conducts the investigation

OPD should also assess which supervisors are permitted to conduct the district-level investigations. We reviewed numerous investigations that were conducted in part or in full by corporals instead of sergeants. We also reviewed numerous investigations where a supervisor who was involved in the force action also investigated, reviewed, or commented on the use of force. A supervisor who is involved in the use of force should provide a written statement like any other witness officers. A non-involved supervisor should be responsible for conducting the investigation.

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## I. OBSERVATIONS REGARDING SPECIFIC TYPES OF FORCE

In the following section, we provide observations of specific types of force that might warrant additional evaluation, or policy and training guidance.

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### K-9 apprehensions

We reviewed seven use of force investigation involving the use of canines and reviewed OPD's Canine Policy. The policy is broadly written as it relates to the deployment of the Police Canines. It defines apprehension as any time a police-trained canine is used to physically seize a felony suspect in order to make an arrest. It does not provide guidance on whether it is appropriate to use a canine when the felony suspect is a juvenile, elderly, or a person who is obviously in mental distress. The policy also fails to address the control of the canines by the handler while on-leash or off-leash, nor does it call for the immediate release when the K-9 is on-bite and the person being arrested is no longer resisting or posing a threat. While OPD's current canine and use of force policies do not explicitly refer to canine bites as uses of force, a canine bite should be categorized as a serious use of force (Level 4) and should be investigated by a FIT team or Internal Affairs. A canine bite should not be investigated by an officer's immediate supervisors.

One incident we reviewed involved an apprehension of a homeless person who was seen by an officer climbing over the fence of an auto repair shop. The K-9 responded and found the subject of force hiding underneath a vehicle and bit him. The K-9 remained on bite as the officers pulled the man out from under a vehicle by his hands. The handler kept the K-9 on bite, all while giving the K-9 positive reinforcements by saying "Good Boy." The subject of force said that he wanted a safe place to sleep. He said he was asleep and was awakened by the K-9 biting him. This is significant because the K-9 handler gave his warnings just above a whisper. It was captured on the handler's BWC. The report indicated that the subject was bitten twice, however, the photo taken at the hospital showed at least 20 puncture wounds.

In most of the canine apprehensions we reviewed, there is some question as to whether the Handlers acted swiftly enough to remove the dog from the bite. However, because the canine policy is so poorly written and does not provide specific guidance on this action, reviewing supervisors would have to conclude that the problematic force is within policy. Accordingly, we did not review any incidents where investigating supervisors determined that the use of force involving canines was a violation of policy. Our review also revealed that K-9 officers were not consistently wearing body worn cameras.

Finally, it is notable that all seven K-9 bites we reviewed involved people of color: three involved black males, three involved Hispanic/Latino males, and one involved a black female teenager. We reviewed random incidents and did not assess the entire universe of K-9 apprehension that occurred in 2019 and 2020. However, we strongly recommend that OPD audit this issue further.

We've provided a couple of examples of these incidents:

- One incident involved an apprehension of a person who fled from officers during a traffic stop and who was believed to also be in possession of illegal drugs. The Chase helicopter assisted in locating the suspect by using the FLIR System (Forward Leaning Infrared) cameras. After twenty-five seconds on-bite, the suspect is clearly secured but the handler keeps the k-9 on bite for approximately another 27 seconds. The investigating supervisor was unable to locate the Handlers' body worn camera. Although this is a possible violation of OPD's Policy 1140.6, it was not addressed by the investigating supervisor.
- Another incident involved the apprehension of a 19-year-old male suspected of vehicle burglaries. The male was lying on the ground hiding next to some bushes. The K-9 bit the male's right arm as he laid on his stomach. The dog stayed on bite as the K-9 officer shouted "stop resisting," but the male appeared to be laying on his stomach with his left arm behind his back and his right arm partially behind his back as the canine stayed on bite. In his supplement report, the K-9 officer reported "when compliance was gained from the suspect, I gave the out command to [the K-9] and removed him from the suspect. As I was pulling him off the suspect, [the K-9] quickly lunged towards the suspect and bit his shorts." The bite to the man's shorts, although unintentional, was not mentioned in the supervisor's investigation, nor was any additional training recommended. The force investigation file we reviewed did not include any photos of the puncture wounds or other injuries.

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## Strikes

We assessed numerous incidents that involved strikes that should not have been reviewed by officers' immediate supervisors. As noted above, OPD should classify all head strikes (other than with an impact weapon) a Level 3 and strikes to handcuffed persons as a serious use of force (Level 4) and thereby should be investigated by a specialized team. We provide some examples below.

- In one instance we reviewed, an officer struck a handcuffed person with a fist. This person was in the hospital to receive a medical clearance before being transported to lock up. He was handcuffed to a bed and began spitting on the officer. The officer struck the handcuffed arrestee. This force review was conducted at the district level.
- Another incident involved a juvenile who was transported to the JAC (Juvenile Assessment Center). When the officer arrived at the JAC sally port, he noticed that the juvenile had maneuvered his handcuffs to his front. As the officer tried to remove the juvenile the car, he struck the handcuffed juvenile with his fist and knee. The report doesn't indicate whether the JAC employees were interviewed or if videos of the facility were reviewed. Also, the lieutenant who assisted in the arrest at the JAC was one of the reviewing and approving officials of this use of force
- In one canine apprehension we reviewed, a K-9 officer, who alleged that a man charged at him, kicked the man in the head/facial area as he fell. The investigating supervisor appropriately determined that the kick to the head was not consistent with OPD policy and forwarded the incident to Internal Affairs for review.

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## Electronic Control Devices

As noted earlier, OPD officers rely heavily on ECDs as a force tool. However, the current force policy does not provide important guidance on best practices, including limitations on the number of cycles.

In one use of force incident we reviewed, officers responded to a residential area where a stolen van was parked. A person was seen going in and out of the van on a regular basis. Officers engaged the man and he refused to comply. He attempted to drive away, then officers deployed their ECDs and pinned the van in place by ramming it with police cars (a “dynamic vehicle stop,” which is a use of force). Officers deployed multiple and simultaneous ECD cycles, totaling eight cycles. Officers struck the man with an impact weapon two to four times, struck him with a closed fist, and one ECD deployment was used in drive stun mode. Several officers pointed weapons at him. The supervisor’s review failed to render a finding on each use of force. Multiple witnesses were present and recording video with their phones, but the supervisor’s report did not indicate whether they were interviewed. This is another case that should have been elevated to a specialized force investigation team for a comprehensive assessment.

- In one incident, a complainant flagged down an officer and informed the officer that a person had pulled a knife on him and was threatening people. The officer found the subject, who was homeless, just down the street and engaged him. The officer repeatedly gave the subject commands. When the subject failed to do so, the officer deployed five cycles of his ECD. No warning was given by the officer before he deployed his ECD. The report indicates that the subject was actively resisting however, the BWC shows the subject passively resisting. There were four witnesses on the scene but the report shows that only two were interviewed. When an ECD is deployed for more than three cycles, it is generally considered a serious use of force.
- Officers were given information by another officer about a vehicle parked in a motel parking with people going to and from the car. The officers engaged the occupants of the car (two people). Officers observed a “cannabis pipe” in plain view. The person in the driver’s seat identifies as female, questioned the officers about the stop. The occupants were removed from the car and handcuffed. Shortly thereafter, one subject fled with handcuffs on, was caught and tased while fleeing away. The person tased identifies as female. Yet, the report throughout the narrative section refers to her as “he and his.” This is concerning. As noted earlier, we recommend that OPD audit potential bias in its use of force practices.

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## OC Spray (Oleoresin Capsicum) Deployment

OC Spray is considered a less-lethal weapon. It is an organic extract of cayenne pepper and when used can temporarily blind a person while creating a burning sensation. It is very important for a department to have a written directive that provides guidance to officers on its use. It should not be used where someone is operating a motor vehicle, or if they are in a position where a significant fall may take place. Spraying children and the elderly is generally not an accepted practice in most agencies. OPD’s Response to Resistance policy lacks specific guidance on its appropriate use.

- In one incident, an SRO (School Resource Officer) noticed a young female juvenile (13 years old) walking away from in-school detention. His BWC showed that this student might be suffering from some mental stress. He engaged the student and she did not comply with his order to return to detention. She began walking in his direction. According to officer’s statement, he deployed his OC spray at the 13-year-old girl because he feared for his life. This is implausible given the size difference between the officer and the teenage girl, yet this use of force was approved. The officer gave no warning prior to deploying his OC spray.

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## OBSERVATIONS REGARDING OFFICER INVOLVED SHOOTING INVESTIGATIONS

We reviewed administrative investigations of two officer-involved shootings conducted by OPD’s Internal Affairs unit. The criminal investigation of serious uses of force is handled by the Florida Department of Law Enforcement (FDLE). We provide our observations below.

- The 2019 case centered on a drug buy utilizing an undercover officer as the purchaser. The plan was to purchase the drugs and let the seller leave, commonly known as a “buy and walk”. The transaction was to take place in a department store parking lot. The buy did not go as planned. The officer was the target of a robbery. The suspect came up to the officer’s car and fired a single round through the glass, barely missing him. The officer returned fire, shooting five rounds wounding the suspect. The suspect fled to the rear of the officer’s car toward the vehicle in which he had arrived. As the officer regained his sense of awareness, he fired an additional 6 rounds at the suspect’s vehicle as the vehicle sped away. Unbeknownst to the officer, the suspect had not entered the vehicle but rather fled across the parking lot to be apprehended by other OPD team members. The suspect sustained injuries from being shot by the undercover officer.

The vehicle in which the suspect arrived, fled the scene and was stopped by other OPD team members as it attempted to leave via the rear of the department store parking lot. The stop was a dynamic vehicle takedown.

We did identify some findings that were not considered by investigators. Specifically, the crime scene was unprotected too long before it was secured and a grocery cart was moved from a key location and not documented in report. Crime scene protection and security is a potential training opportunity. Another training opportunity is target acquisition. In this incident, the officer fired 5 shots at the suspect immediately after he was fired upon. Those shots were totally justified. Arguably, the next six shots fired by the officer merit additional evaluation. In his statement, the officer reported, “I fired the next six shots for fear that he (suspect) might re-engage me.” Those six shots were fired at the truck and not the suspect. Officers are not trained to fire their weapons indiscriminately in fear of anything. Officers are trained to find the target, acquire the target and discharge their weapon if, and only if, the target continues to pose an active threat.

- In the 2020 incident, a man driving a stolen vehicle exited the vehicle and began to run when he saw officers. As one officer was chasing the male, he viewed a gun in male’s left hand. As they continued running, the male lifted his arm behind him and pointed the gun at the officer. The male fired a single shot. The male then stumbled and got back up and continued to run. The officer pointed his gun in the direction of the male and fired three shots. The male fell to the ground and still had the handgun in his left hand. He then got up and started to walk away. He lifted his left hand with the handgun and pointed it towards the officer again. The officer fired four more shots as the man continued to walk away with the gun in his left hand. The man continued to walk away with the gun still in his hand. Officers ordered him to put the gun down. The male collapsed to the ground with the gun still in his hand. He was initially motionless, but then made a sudden movement to turn on his back. The gun was still in his hand and officers reported that his finger was on a trigger guard. A second officer fired one shot at the male (which missed). Another officer was able to remove the gun from the male’s grip.

In both cases, OPD determined that the involved officers should be exonerated. OPD’s Internal Affairs conducted comprehensive factual investigations that provided detailed evaluations of the shootings in question.

For future officer involved shooting investigation, OPD should make sure it includes the following information and evidence:

- BAC – Blood Alcohol Concentration of involved officer or urinalysis
- After action report and evaluation of buy/walk plan
- Photos of subject of force injuries
- Photos of officer injuries, when applicable
- Firearm training record of involved officer
- Assessment of dynamic vehicle takedown, when applicable
- Assessment of weapon pointing (use of force)
- Assessment of suspect takedown from a vehicle, when applicable
- Ballistic Report(s), which was included in one but not both of the officer involved shootings we reviewed

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## RESPONSE TO RESISTANCE (RTR) AND OFFICER-INVOLVED SHOOTING (OIS) DATA

We conducted an analysis of OPD's use of force data. We determined that use of force (RTR) incidents have declined over the past five years; no reason for this was evidence in the data analyzed. The team will investigate this further in the ongoing operations assessment.

- ◀ Based on several ways of analyzing and measuring racial disparity, RTR incidents exhibit disproportionality for Black community members OPD interacts with. This is seen both in the relative proportion of incidents that involve Black community members as well as the highest level of force used in the incident.

We analyzed data in relation to the department's RTR incidents for five years, from January 1, 2015 and December 31, 2019. During this period, the OPD had 2,051 RTR incidents. The OPD collates officer-involved shootings (OIS) separately from RTR. OIS incidents that occurred between January 1, 2015 and December 31, 2020 are analyzed separately. During this period, OPD had 31 OIS incidents.<sup>57</sup>

A critical data structure issue limited the analyses completed. Specifically, the OPD does not capture RTR or OIS data in a manner that allows for unique linkages between incident, officer, community member, and incidence of force used. In an incident with multiple officers or community members, it is not possible to disentangle which officer used what type of force on which specific community member.

Therefore, these analyses are limited to incidents with only one involved community member. Further reducing to incidents with just one officer and one community member unfortunately omits nearly three-quarters of the RTR incidents, so we are not able to analyze the impact of officer demographics on other incident characteristics.

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<sup>57</sup> The assessment team analyzed RTR and OIS for different type periods, the former covering five years and the latter six years, as these are present in separate data sets in OPD.

## RTR and OIS Characteristics

### Incidents Over Time

These figures show OIS incidents per year, as many months have no incidents during this period. OIS are relatively rare so while they appear to vary by odd and even years, this is likely attributable to chance and not a particular pattern. RTR incidents have declined over time, averaging 43.0 incidents per month in 2015 and 26.1 incidents per month in 2019.

Figure A 1 OPD RTR incidents over time

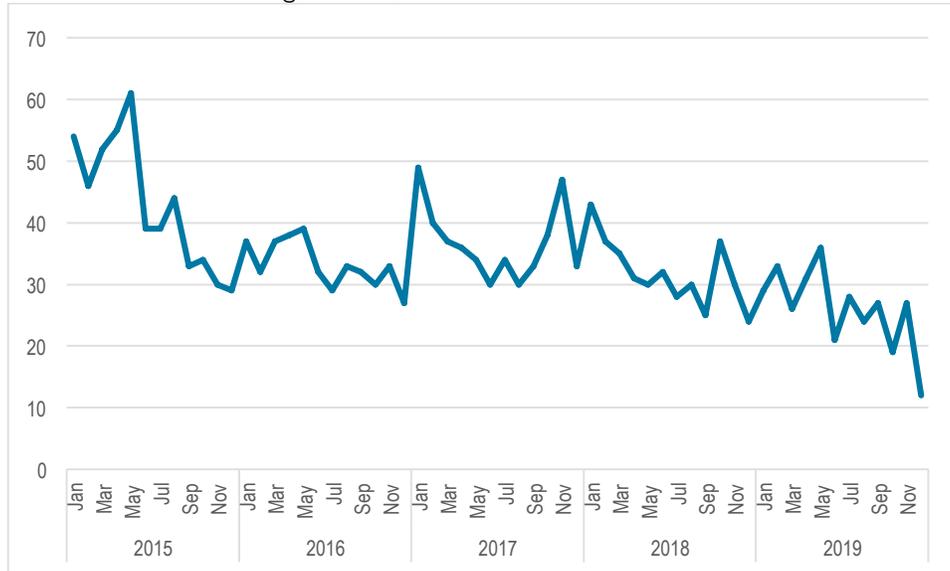
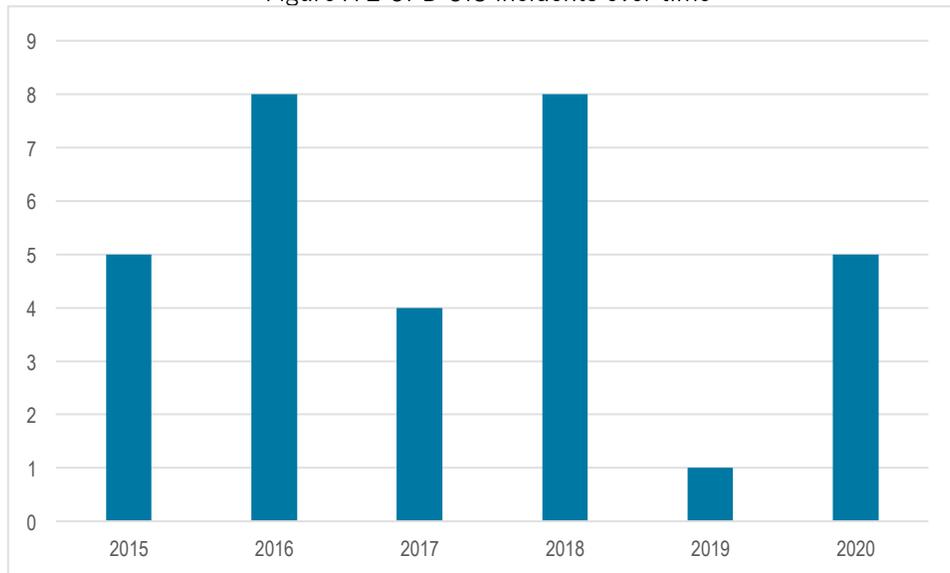


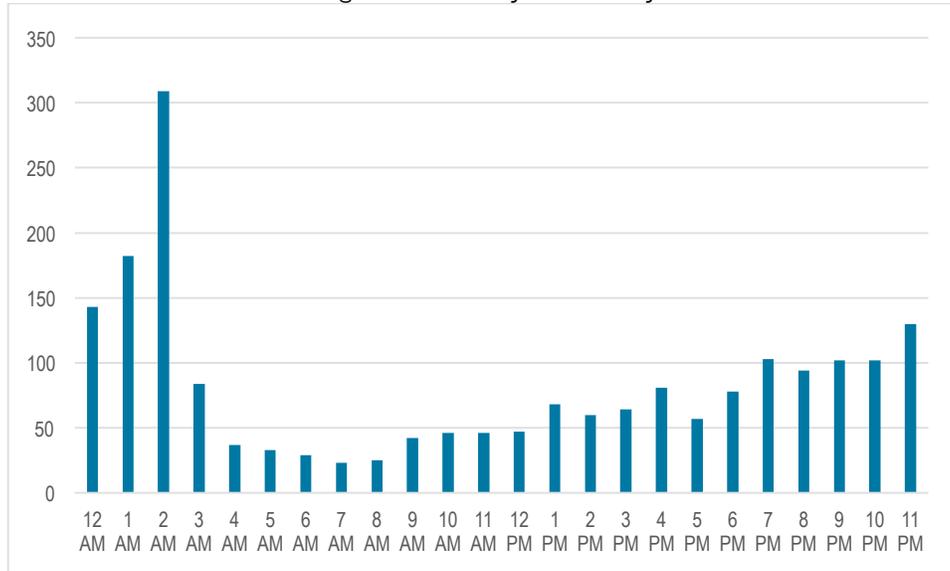
Figure A 2 OPD OIS incidents over time



## Time of Day of Incidents

Figure A 3 displays 1,985 RTR incidents by time of day.<sup>58</sup> RTR are significantly more likely to occur shortly after midnight, particularly between 2AM and 3AM. As with most law enforcement activities, they are least likely to occur in the very early morning, between 5AM and 9AM. Note that OPD's database of OIS incidents does not include times.

Figure A 3 RTR by time of day

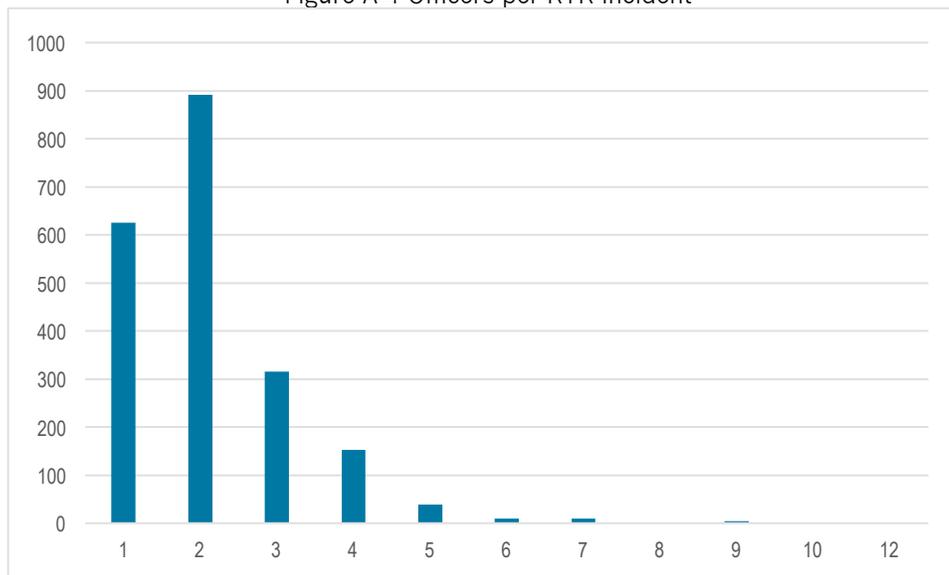


<sup>58</sup> Note that 66 incidents had no time listed.

## Involved OPD Member in Incidents

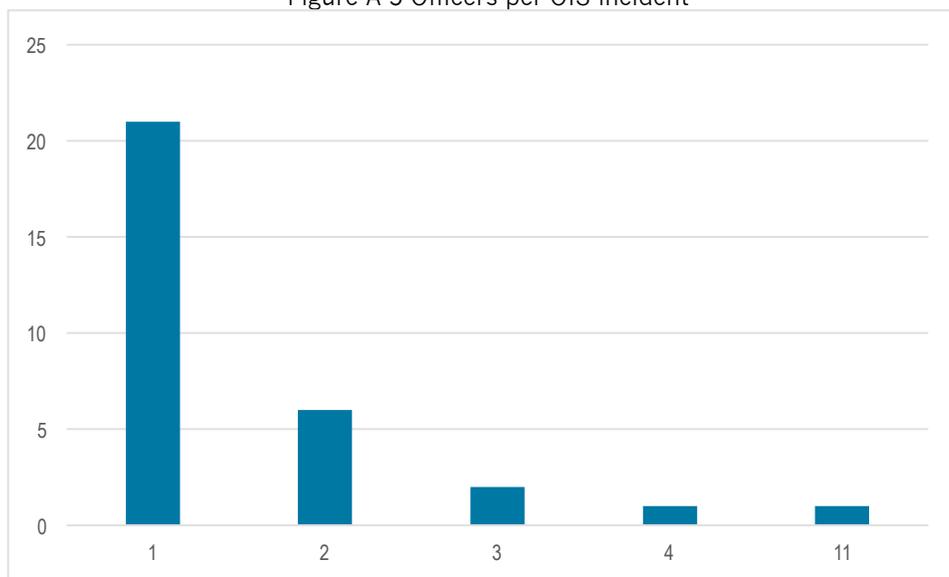
The number of officers per RTR incident ranged from 1 to 12 during the period examined. According to Figure A 4, the most common number of officers per incident is 2, followed by 1, and the average number of officers per incident is 2.1.

Figure A 4 Officers per RTR incident



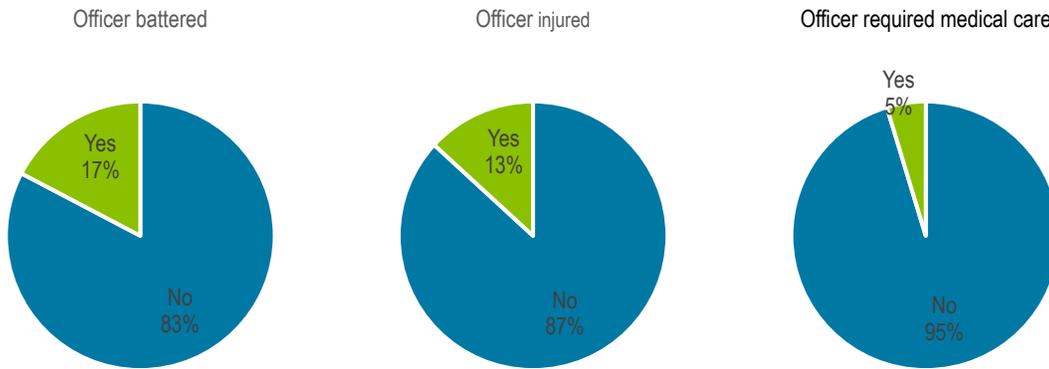
The number of officers per OIS incident is one for 67.7 percent of incidents, as shown in Figure A 5. The single incident involving 11 officers is the OIS associated with the Pulse nightclub shooting in 2016.

Figure A 5 Officers per OIS incident



The OPD codes data about battery of officers, officer injuries, and injuries requiring medical care at the level of the incident, due to their data structure. As shown in Figure A 6, 355 (17 percent) of incidents involve an officer being battered, 270 (13 percent) involve an officer injury, and 96 (5 percent of all incidents) results in an officer requiring medical care. Two of 31 OIS incidents involved an officer being shot, and one of these incidents involved the death of an officer.

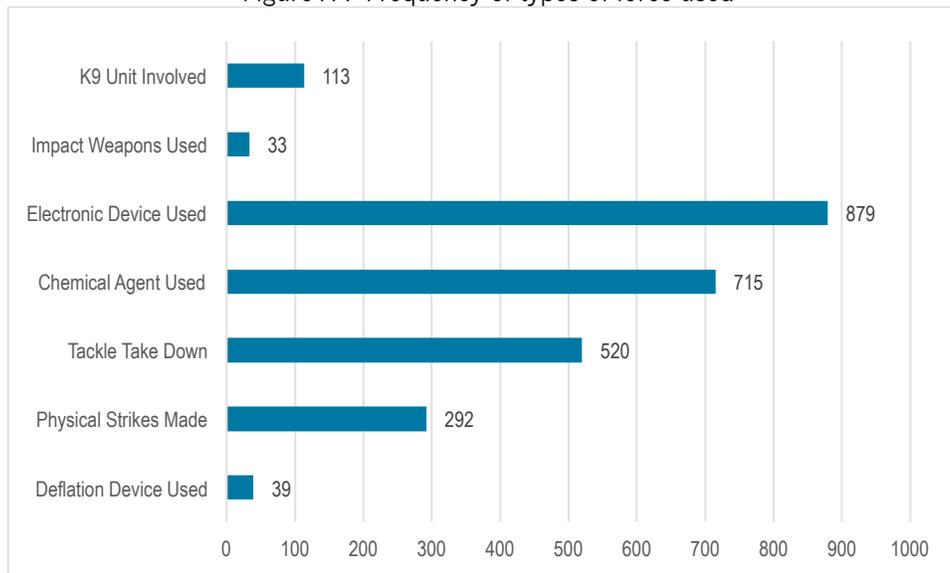
Figure A 6 Percent of incidents involving battery of officers, officer injuries, and injuries requiring medical care



### Types of Force Used

RTR incidents can involve multiple types of force. Each incident involves, on average, 1.3 types of force. The OPD does not catalog individual incidences of force, so it is not possible to assess the number of uses of force within each incident, only how many types of force were used. The figure displays the frequency of each type of force; these are arrayed from highest level of force used to lowest (with officer-involved shootings, as noted above, omitted). Deflation devices are not typically included on use of force continuum and we simply list them last. Unusually, the OPD's frequency of force used resembles an inverted triangle between physical strikes and use of electronic-control devices (i.e., Tasers). Most agencies' use of force data exhibits the opposite pattern, with hands on strikes being the most frequent, and the frequency decreasing as the level of force increases.

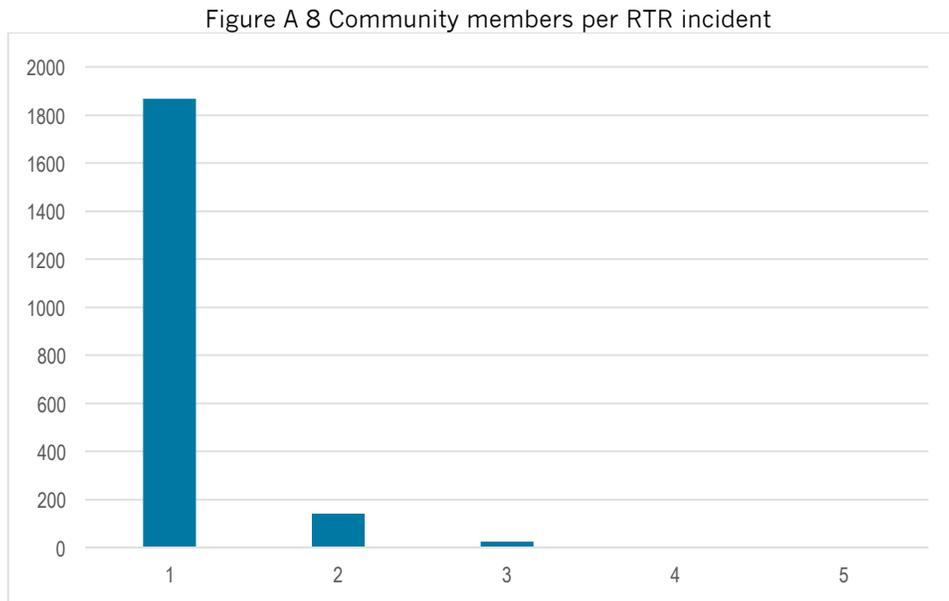
Figure A 7 Frequency of types of force used



## Person Characteristics

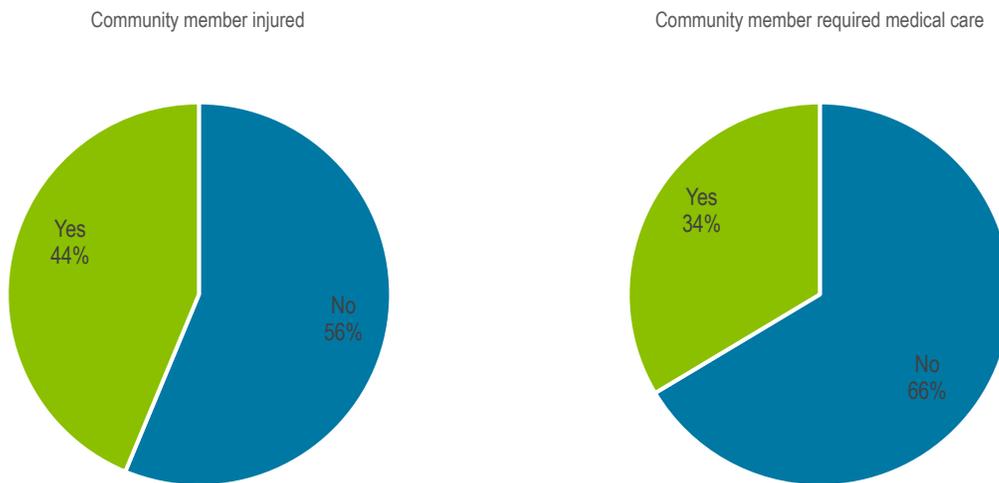
### Community Members Involved in Incidents

Figure A 8 indicates the vast majority of the 2,051 RTR incidents involve just one community member, 91.1 percent. In addition to the 2,041 incidents, one incident involved an unknown number of community members and 9 incidents involved an unknown number of community members specifically specified as a crowd of unknown size. Of the 31 OIS incidents, all but one involved just one community member; the remaining incident involved two community members.



Note that battery of community members is not tracked, as RTR de facto involve battery of community members. Figure A 9 illustrates that community members experience injuries in 897 (44 percent) of the 2,051 RTR incidents and require medical care in 689 (34 percent) of incidents. Within OIS incidents, 24 of 31 incidents involve a community member being shot and 12 of those were fatal shootings, though one of the fatal shootings was self-inflicted.

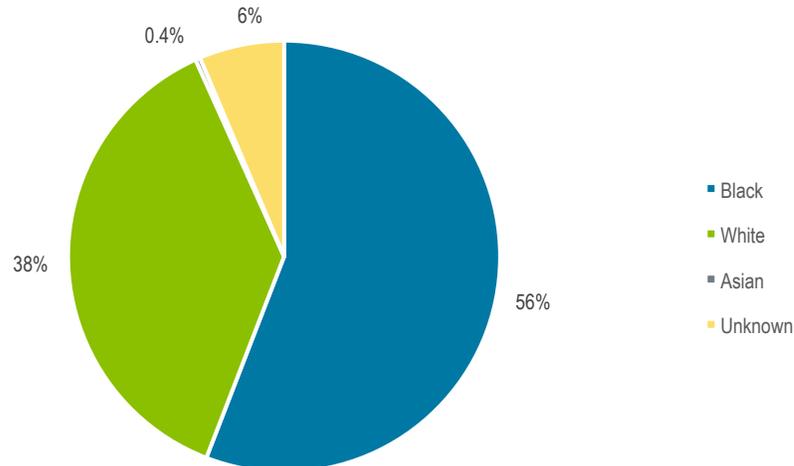
Figure A 9 Percent of incidents involving community member injuries, and injuries requiring medical care



### RTR and OIS Person Race

Across the 2,051 RTR incidents, a total of 2,253 community members were involved. The majority of community members involved in RTR incidents are Black at 1,262 (55.9 percent) of individuals, followed by white community members representing 845 (37.4 percent) of individuals. As in other OPD data sets, ethnicity is not captured for RTR incidents historically, though the new RTR tracking system does seem to be set up to collect ethnicity information.

Figure A 10 Race of community members involved in RTR incidents



One way to understand disproportionality in outcomes of law enforcement activity is a compound ratio. This calculation compares the ratio of the percentage of police interactions with Black individuals involving use of force to the corresponding percentage for white individuals. The following formula is used to calculate the disproportionality index, as it is commonly referred to:

Figure A 11 Disproportionality Index formula

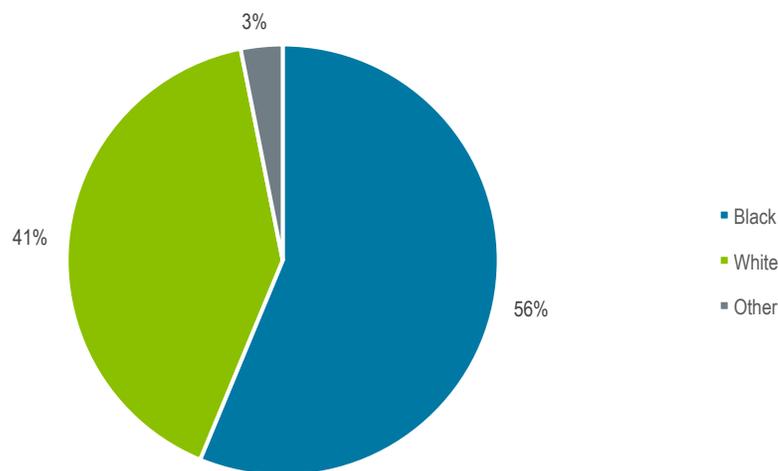
$$\frac{\text{Use of force}_B / \text{Total interactions}_B}{\text{Use of force}_W / \text{Total interactions}_W}$$

A benefit of this approach is its clear and compelling interpretation: it measures how much more likely police interactions with Black individuals are to result in the use of force compared to interactions with white individuals. For the purposes of this analysis, the arrest data OPD provided is used as the baseline. Using this approach, the compound ratio for Black community members is 0.62,<sup>59</sup> meaning that Black community members are involved in RTR incidents 0.62, or about two-thirds as often as times more RTR incidents than white community members (using arrests as a baseline). To consider the opposite comparison, white community members are involved in RTR incidents 1.59 times more often than Black community members (using arrests as a baseline).

Field investigation contacts were considered as a possible baseline for calculating the disproportionality index. Given that we know law enforcement data also includes some degree of racial disparity, using multiple measures is often appropriate to provide multiple estimates. Using FIs as the baseline, the compound ratio for Black community members is 1.3, meaning that Black community members are involved in RTR incidents 1.3 times more often than white community members (using FIs as a baseline). However, this measurement does not take into account any information about the specific incidents, such as level of resistance or reason for use of force.

Figure A 12 displays analogous analysis for the 32 community members involved in the 31 OIS incidents in the analysis timeframe. The relative breakdown by race closely mirrors that of RTR incidents, with Black community members being involved the most frequently at 56 percent (18 people), followed by white community members who make up 41 percent (13 people) of the individuals in OIS incidents. Again, we note that this data does not include ethnicity.

Figure A 12 Race of community members involved in OIS incidents



Another method to evaluate disproportionality in use of force incidents is to consider the highest level of force used while accounting for other characteristics about the incident. OPD only collects a limited amount of data about RTR incidents that would be considered likely to help explain differences in the level of force used. Due to this, we consider several ways to calculate the difference in the highest level of force used for incidents involving Black community members compared to those incidents that involve white community members. In all these analyses, we include only incidents with one community member. A simple comparison of means (i.e., averages) is calculated for the highest level of force used in the 2,051 RTR incidents involving Black community members and white community members. 0.001, two-tailed t-test

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<sup>59</sup> The compound ratio for Black community members will be completed once the arrest analysis is complete.

A 1 presents the average highest level of force used by race for all race categories. We only, however, compare Black and white community members as the number of incidents involving Asian community members is small (8 incidents) and it would be inappropriate to make statistical comparisons to the unknown category (as it likely includes individuals of different races). The difference between average highest level of force in RTR incidents is statistically significant when comparing incidents involving Black community members and those involving white community members, with a difference of 0.3 ( $t=5.049$ ,  $p<0.001$ , two-tailed t-test)

Table A 1 Highest level of force used by race of community member

Race	Average highest level of force
Asian	3.4
Black	3.5
Unknown	3.1
White	3.2
Grand Total	3.4

Another more sophisticated method to understand disparity in law enforcement actions is using a quasi-experimental approach called propensity score matching. Propensity score matching compares incidents that are otherwise extremely similar but differ in terms of the race of the involved community member. A critical step in this analysis is defining in what ways incidents should be similar. Since OPD does not document the reason for use of force or level of resistance in its data, we are limited in the variables available for matching. Of those available, the number of officers involved in the incident, whether an officer was battered, whether an officer was injured, and the hour of the day were used. Based on these variables, in simplified terms, the propensity score matching method would attempt to match two incidents similar on these included matching variables: one involving a Black community member and one involving a white community member. We would then compare these matched incidents.

Since the two incidents are otherwise similar, absent disparate treatment or bias, we would expect to see both incidents result in the same outcome (e.g., level of force used). Although propensity score matching cannot establish that racial bias exists with certainty, it provides stronger evidence than other techniques, such as correlational analysis or compound ratios alone.

It is common to use multiple model specifications when conducting propensity score matching analyses, as the research literature has not established clear guidance regarding when to use different parameters. Table A 2 presents results from a model using nearest neighbor matching, nearest five neighbor matching, and a radius of 0.01. Each of these techniques involves matching based on the calculated propensity score. As might be expected, nearest neighbor chooses the single observation with the closest propensity score; nearest five neighbors the five observations with the closest propensity score; and radius all observations within 0.01 of the propensity score. As in the above analysis, we limit our observations to incidents involving either Black or white community members (not Asian or unknown); thus, the calculated differences are directly comparable to the difference calculated in the t-test.

Based on this analysis, there is a statistically significant difference in the highest level of force used based on the race of the involved community member.<sup>60</sup> Black community members are more likely to experience higher levels of force than white community members.

<sup>60</sup> Propensity score matching results are predicated on achieving compliance with two requisite conditions: common support and balance. The results of all three models achieve common support but have mediocre results for balance. Given the balance results, the assessment team also considered the model without the unbalanced covariates and also compared results to a simple ordinary least squares regression. Given the differences are consistent and consistently statistically significant across all tests, we are confident the findings reflect actual disparities despite imperfect balance. It is also worth noting that the specific level of “tolerable” unbalance in propensity score matching is not well understood.

Table A 2 Propensity score matching results for highest level of force used

Model	Difference in highest level of force used	T-statistic	Statistically significant?
Nearest neighbor	0.26	5.05	Yes
Nearest five neighbors	0.24	4.04	Yes
Radius of 0.01	0.26	4.22	Yes

## IV. INTERNAL AFFAIRS APPENDIX

### ASSESSMENT BACKGROUND DETAILS

The OPD Policy 1604.11 – Discipline outlines in detail procedures to be followed to address and investigate complaints against sworn members of the Orlando Police Department including:

- Complaint intake: The policy outlines procedures to be followed to intake and process complaints externally by the general and internal by OPD or other City of Orlando employees. The policy allows for various avenues for complaints to be filed including in-person, call-in, and on-line. The OPD complaint form is available online and is provided in five (5) languages: English, French, Spanish, Creole, and Vietnamese. The Policy also allows for anonymous complaints and outlines procedures for processing without an identified complainant.
- The OPD Complaint Process is outlined on the OPD website but is not included as a link on the Department’s Home page and not readily accessible.
- Investigative steps to be taken and report preparation requirements
- Discipline procedures
- Appeals and Grievances

1604.11 also contains flowcharts, an Investigation Checklist, and all applicable IA forms. The OPD Internal Affairs Standard Operating Procedures (SOP) outlines in detail the complaint process including:

- Citizen Complaint in-take: Complaint in-take procedures are outlined in a detailed and complete manner and adhere to OPD Policy 1604.11.
- Complaint classification: The IA SOP outlines procedures for complaint classification. Complaints are placed into three (3) categories:
  - Formal Investigations – Investigations regarding misconduct allegations conducted by IA Investigators in accordance with OPD Policy and IA SOP.
  - Supervisory Referrals – Complaints that are referred to an employee’s supervisor for resolution.
  - General Complaints- Complaints reviewed by IA and deemed to be unfounded. Generally deemed unfounded following review of officer body worn camera (BWC) video file.

### INTERVIEWS & OBSERVATIONS

Interviews with OPD Internal Affairs management were conducted to gain detailed information regarding IA processes and procedures.

- Complaint In-take: Complaints from external sources can be filed in several ways. Each complaint must be accompanied by a notarized and signed Citizen Complaint Form. If a subject is unable or unwilling to return a notarized signed form, a supervisor can initiate an internal complaint form if it is determined that violation may have occurred.
- Complaint Investigation Classification: Complaints are classified for investigation as Formal, Supervisory Referral, and General. Formal Investigations are conducted by assigned Internal Affairs Investigators and are described as “more serious in nature.” Supervisory Referrals are complaints that are assigned to the immediate supervisor and described as “less serious complaints.” General Complaints are those cleared as unfounded by Internal Affairs due to evidence, mostly body worn camera videos, that indicate the event or officer action did not happen as the citizen described or did not happen at all.

The OPD Internal Affairs Standard Operating Procedure and the Internal Affairs Training Manual do not clearly define what type of complaint will be assigned as a Formal Investigation or will be a Supervisory Referral.

It was stated that citizens are offered Supervisory Referrals to resolve complaints because that is “often time more expedient” than the formal process but it was not explained what types complaints will be referred to supervisors for resolution.

In addition, General Complaints are unfounded mostly due to review of officers’ body worn camera. A review of the OPD Policy Body 1140.6 Mobile Recording System 3.3-Deactivation of the Body-Worn Camera allows officers to deactivate the camera if the “initial incident that caused the activation has stabilized or at the time the member gives a verbal disposition to Headquarters.”

OPD does not document verification that the event the citizen’s complaint is based on is completely captured by the BWC or that BWC was deactivated but the incident was captured and still supports Unfounded. IA should document verification that the BWC camera file is complete or, if not complete, the portion of the event viewed supports the finding of unfounded.

Complaint Outcomes and Tracking: All complaints received by Internal Affairs, both taken by IA or forwarded from other intake areas, are entered in the OPD administrative case management system, IAPro. IAPro is a professional standards software with several management components including administrative/internal affairs case management, use of force report management, and early intervention system management. OPD IA investigators are responsible for maintaining complaint files, including completing investigations, assigning complaints for supervisory referral, following up on outstanding complaints, and documenting general complaints. Complaint outcomes/findings are assigned for formal complaints and general complaints. Supervisory complaints do not receive an assigned finding/outcome. IA will document the response of the assigned supervisor, but they do not document actions taken in a manner that allows for supervisory referrals to be analyzed for reporting purposes.

Outcomes from supervisory referrals are only available by manual review of each file.

- Formal Investigations: Formal Investigations are conducted by trained Internal Affairs Investigators. A random sampling of Formal Investigations was conducted for quality, thoroughness, adherence to policy, and evidence to support findings and outcomes.
- Appeals/Grievances and Arbitrations: The processes for Appeals/Grievances and Arbitrations are detailed and specific. The processes follow the mandates outlined in the Collective Bargaining Agreement and the Police Officer’s Bill of Rights.

THE CPRB meeting was also observed. In addition, interviews with CPRB members revealed that several would like to improve the role of the Board as liaisons between the community and the police department. Board members indicated they would like to review materials in a more timely manner.

### OPD General Complaints, Supervisory Referrals & Formal Investigations

Six years of complaint data was analyzed, ranging from January of 2015 through December of 2020. Upon intake of a citizen complaint, complaints are forwarded to the Internal Affairs Supervisor for initial review (reference Policy 1604.11 – Discipline). During this review, the OPD categorizes complaints into three categories: general complaints, supervisory referrals, and formal investigations.

- General complaints are cases where the complaint is found to be unwarranted immediately following intake. For example, a community member makes a complaint that an officer used a slur during a traffic stop, but the supervisor reviews the body-worn camera footage and verifies this did not take place.
- Supervisory referrals are minor complaints. For example, an officer was brusque, though not rude, during an incident.
- Formal investigations are made for more serious complaints related to specific policy violations.

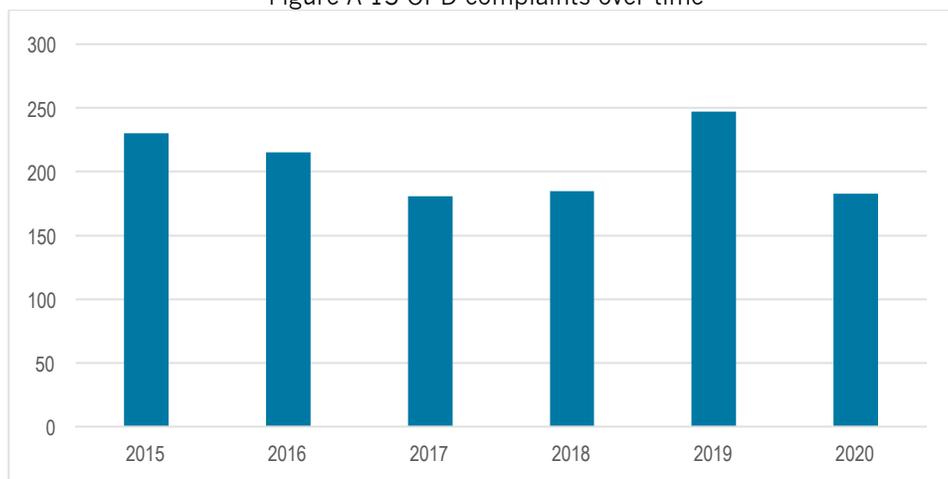
As noted in the previous section, OPD only codes the allegation (and the specific policy violation) and disposition for formal investigations. General complaints do not have dispositions, as they are unfounded (i.e., the incident did not take place). Supervisory referrals are handled at the supervisor’s discretion and the supervisor’s choice of action is not entered into OPD’s complaint system, IAPro.

The OPD automatically enters all deadly force incidents into the complaint system as formal investigations. Unfortunately, OPD’s data systems through 2020 do not distinguish between community members who are complainants and witnesses in a defined close-response field. This limited the team’s ability to analyze complaint incidents. In addition, the OPD does not include unique identifiers for officers or community members in their data. Thus, the assessment assumed that the combination of last name, race, and gender within a specific incident could be used to discern unique individuals. We therefore consider subsets of the data (for example, incidents involving only one community member or only one officer, who must necessarily be non-witnesses) as necessary. We note these instances in the analysis below.

#### Complaints Characteristics

It is helpful to consider complaint counts over time, as decreases or increases over time can reflect changes in community comfort with filing complaints. Between 2015 and 2020, the OPD documented 1,241 complaints, ranging from 181 in 2017 to 247 in 2019 and averaging 207 per year overall.

Figure A 13 OPD complaints over time



## Types of Complaints

Of the 1,241 complaints, most are formal investigations, as seen in 10. The remainder is split nearly evenly between general complaints and supervisory referrals. These percentages change when considering only those complaints that have an associated community member complainant, as seen in Figure 11.

OPD generates automatic complaint entries for certain incidents (e.g., officer-involved shootings, vehicle accidents), so these internally generated complaints do not have necessarily have complainants. However, some internally generated complaints (for example, use of deadly force) do note the community member who was involved in the incident. Unfortunately, there is not an obvious way to distinguish between these among OPD's data fields. The ratio between general complaints and supervisory referrals remains similar, but formal investigations are a much smaller percentage. This makes sense given that several formal investigations are prompted by internal policy violations (such as reporting of vehicle accidents, failure to appear at court, absences, or lateness) and thus do not directly involve community members.

Figure A 14 OPD complaints by type

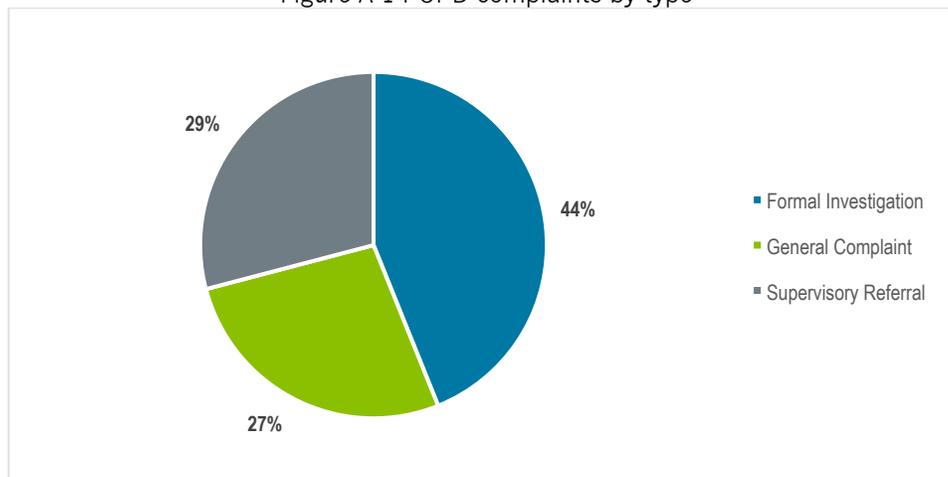
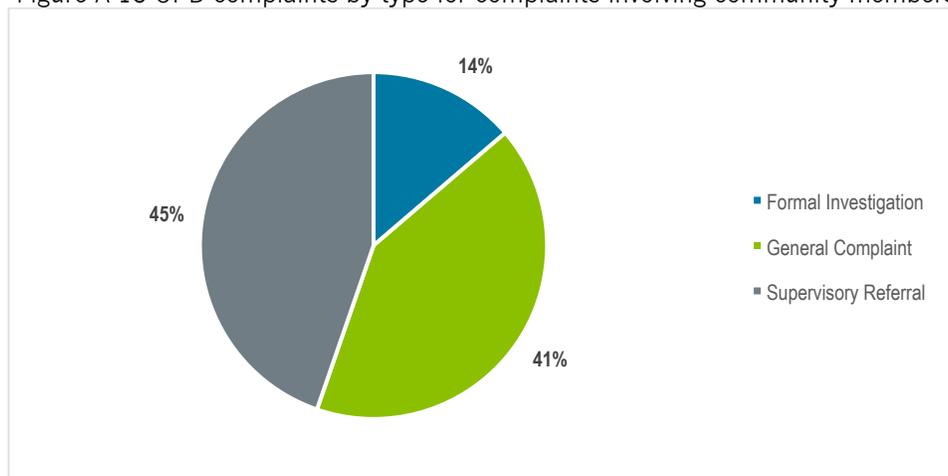


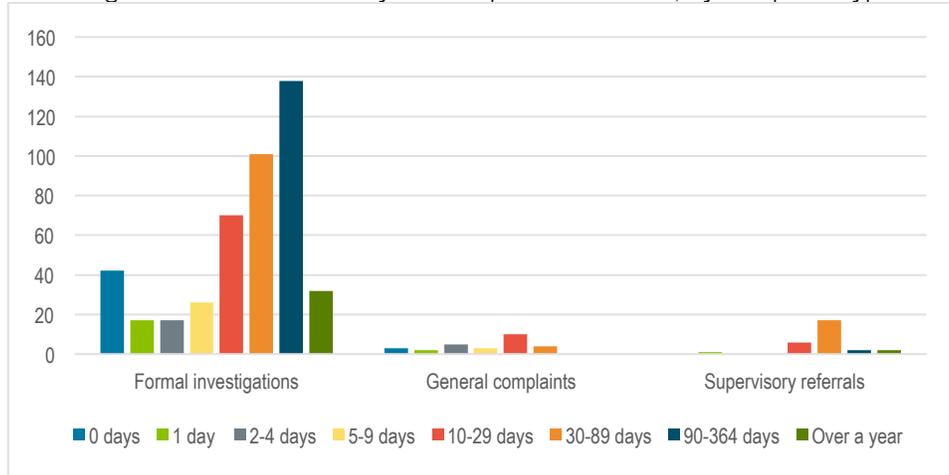
Figure A 15 OPD complaints by type for complaints involving community members



## Complaint Resolution

Of the 1,241 complaint incidents, 743 did not have a completion date included in the database. As seen in Figure A 16, for the remaining 498 incidents, the average time to complaint investigation completion was 108 days, or almost four months, with times ranging from 0 days to 1,502 days, or almost four and a half years. Eight complaints in total required over 1,000 days, or almost three years, for complaint completion. Of note, these complaints were not necessarily all what would typically be considered “complex” cases (e.g., one was in fact the Pulse Nightclub shooting), four involved vehicle accidents. As seen below, supervisory referrals, though intended as a less formal mechanism, still include a majority of incidents taking over 30 days to complete. When considering formal investigations, the most common timeframe is 90 days to a year. Lengthy complaint investigations can hinder both internal and external impressions of procedural justice and legitimacy, among both the community member complainants as well as the involved officers.

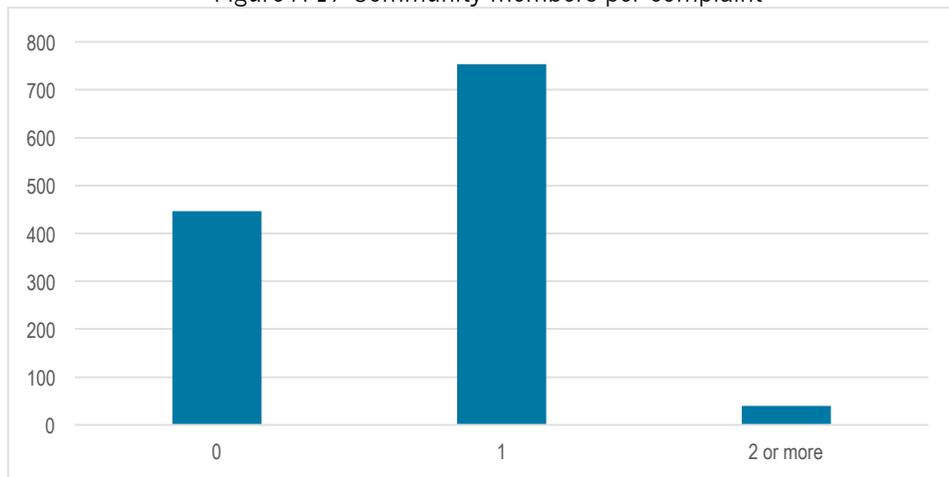
Figure A 16 Number of days to complaint resolution, by complaint type



## Involved Individuals in Complaint

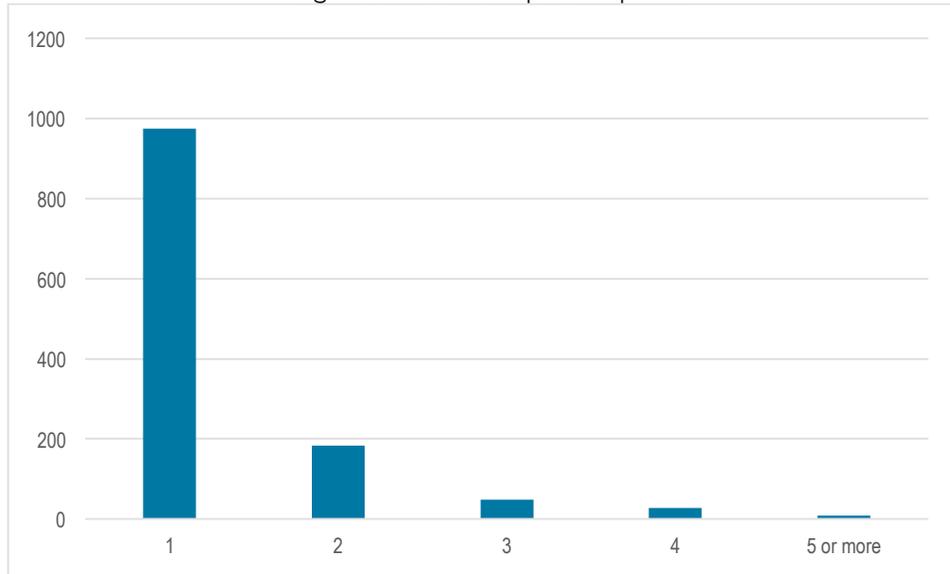
For the 1,241 complaints, many had no community member complainants. It is also important to recall that OPD does not distinguish between complainants and witnesses, so these numbers overestimate the total number of complaints filed by community members.

Figure A 17 Community members per complaint



Among the 1,241 complaints, understandably all had at least one involved officer. As shown in 14, the vast majority of complaints involve only a single officer (70.3 percent). The most officers in a single incident are 11; this was an automatically generated formal investigation of use of deadly force during the Pulse nightclub shooting in 2016.

Figure A 18 Officers per complaint



### Allegation and Action Characteristics

Due to data structure, incidents that include community member witnesses result in duplicate data entries. For example, an incident of officer rudeness with one complainant and two witnesses will result in that allegation and disposition being listed three times for that officer. Because of this, for all further analyses of allegations and dispositions, the review had to limit the data set to only incidents with 0 or 1 community member listed. This narrows the analysis to 1,205 (97.1 percent) of incidents.

The table displays allegations that occurred over ten times during the six-year period. Each allegation includes reference to the specific policy number and a description of the allegation type. The most common are violations related to “Safe Driving of Police Vehicles,” “Obedience to Policies & Procedures & Other Written Directives,” and “Obedience to Laws.”

Within the 159 “Obedience to Policies & Procedures & Other Written Directives” allegations, the most cited directives at issue include policies for mobile video recording systems (30), vehicle pursuits (29), and property and evidence (12).

Table A 3 Allegation types

Policy Number/Allegation	Count	Percentage
500-6 Safe Driving of Police Vehicles	168	21.2%
200-8(b) Obedience to Policies & Procedures & Other Written Directives	159	20.1%
200-8(a) Obedience to Laws	69	8.7%
600-5 Security of Criminal History Data	57	7.2%
800-5 Deadly Force	48	6.1%
800-2(b) Arrests - Use of Force	38	4.8%
200-1 Standards of Conduct	35	4.4%
1000-1 Court Appearance	24	3.0%
800-8 Handling Money, Property and Evidence	19	2.4%
800-2(a) Arrests - Improper	16	2.0%
900-7 Conduct Toward the Public (a) Courtesy	16	2.0%
500-1 Department Property & Equipment	15	1.9%
200-4(a) Duty Responsibilities - Performance	12	1.5%
800-2(c) Arrests - Treatment of Prisoners/Detainees	12	1.5%

Across the 792 allegations, 746 currently have dispositions (several incidents are still under investigation as of the time of this analysis). This analysis is limited to formal investigations, the only type of complaints with dispositions, and includes both internal and externally generated complaints. The most common disposition is sustained, representing 62.9 percent of allegations. Exonerated is the next most common, covering 29.6 percent of allegations. Four dispositions are defined in policy (reference 1604.11 – Discipline), namely:

- *Sustained: guilty as charged*
- *Not sustained: Not guilty by insufficient evidence to prove or disprove the allegations*
- *Unfounded: Incident did not occur, or employees accused were not involved*
- *Exonerated: Act was legal and proper*

In addition to these defined, OPD also tracks voided entries via dispositions, this is used to remove mistakenly entered forms and test entries. Two entries are also marked as “No violation”; this term is no longer used by OPD but is interpreted as most closely similar to unfounded.

The table also breaks out the dispositions by those with no community member complainant (more likely to be internal complaints) and those with one community member complainant (more likely to be external complaints). We caveat this, however, that there are internal complaints with community members as there are potentially external complaints without them, so these figures cannot precisely be categorized as internal and external. As can be seen in this table, complaints with no community member listed are most likely to have a sustained disposition, while conversely, complaints with one community member are most likely to have an exonerated outcome.

Table A 4 Complaint allegation dispositions

Disposition	Overall		Complaints with no community member		Complaints with one community member	
	Count	Percentage	Count	Percentage	Count	Percentage
<b>Sustained</b>	469	62.9%	410	83.7%	59	23.0%
<b>Not Sustained</b>	39	5.2%	17	3.5%	22	8.6%
<b>Unfounded</b>	8	1.1%	1	0.2%	7	2.7%
<b>No Violation</b>	2	0.3%	2	0.4%	0	0.0%
<b>Exonerated</b>	221	29.6%	53	10.8%	168	65.6%
<b>Void</b>	7	0.9%	7	1.4%	0	0.0%

This difference might be driven in part by differences in allegation types; for example, 166 of 552 (30.0 percent) allegations with no community member listed relate to Safe Driving of Police Vehicles that are sustained in 96.4 percent of cases, while no complaints involving community members include that allegation. To investigate that possibility, we restrict our analysis to the dispositions for the second and third most common allegation overall (200-8(a) and 200-8(b), defined above). The table presents this analysis, which shows the same pattern, namely that complaints with no community member listed are sustained more frequently than those involving community members. Conducting an in-depth review of the individual investigations for these complaints goes beyond the scope of this analysis, however, this warrants further investigation to ensure that both internally generated and community-generated complaints are being held to the same standards for determining dispositions. Further community members express sentiments that there may be inconsistencies in discipline related to their complaints.

Table A 5 Complaint allegation dispositions, for allegations 200-8(a) and 200-8(b)

Disposition	Overall		Complaints with no community member		Complaints with one community member	
	Count	Percentage	Count	Percentage	Count	Percentage
<b>Sustained</b>	100	46.1%	82	71.9%	18	17.5%
<b>Not Sustained</b>	11	5.1%	8	7.0%	3	2.9%
<b>Unfounded</b>	5	2.3%	0	0.0%	5	4.9%
<b>No Violation</b>	0	0.0%	0	0.0%	0	0.0%
<b>Exonerated</b>	100	46.1%	23	20.2%	77	74.8%
<b>Void</b>	1	0.5%	1	0.9%	0	0.0%

For the 469 sustained allegations, 425 have a specific action taken as a result of the disposition.<sup>61</sup>

The table displays the specific actions. Oral reprimands are the most common outcome, followed by suspension and written censure. Of the 125 suspensions, the average suspension length was 8.9 days, with 8 days being the modal suspension length, and the longest suspension being for 240 days, or eight months, and the shortest being 1 day.

Table A 6 Actions taken for complaints

Action taken	Count	Percentage
Oral Reprimand	202	47.9%
Suspension	125	29.6%
Written Censure	76	18.0%
Termination	15	3.6%
No Further Action	2	0.5%
Officer Resigned Pending Investigation	1	0.2%
Officer Resigned Prior to Being Served Discipline	1	0.2%

We now consider the actions broken out by allegation type. This table shows the actions for sustained complaints in the four most common allegation categories. (The fifth most common allegation category, 800-5 Deadly Force, does not have any sustained outcomes.)

Table A 7 Actions taken for complaints by most common allegations

Action taken	500-6		200-8(b)		200-8(a)		600-5	
	Count	%	Count	%	Count	%	Count	%
Oral Reprimand	111	80.4%	26	32.5%	4	25.0%	0	0.0%
Suspension	4	2.9%	29	36.3%	8	50.0%	48	92.3%
Written Censure	23	16.7%	21	26.3%	3	18.8%	4	7.7%
Termination	0	0.0%	2	2.5%	1	6.3%	0	0.0%
No Further Action	0	0.0%	2	2.5%	0	0.0%	0	0.0%
Officer Resigned Pending Investigation	0	0.0%	0	0.0%	0	0.0%	0	0.0%
Officer Resigned Prior to Being Served Discipline	0	0.0%	0	0.0%	0	0.0%	0	0.0%

## Person Characteristics

Similar to the above analyses, when considering the race of involved community members, incidents were limited to those with only one community member, as it is impossible to disentangle which race data is associated with a complainant as opposed to a witness. This limits the analysis to 754 incidents, representing 95.0 percent of complaints involving community members. As shown in Figure A 19, Black community members are involved as complainants in 48 percent of complaints, and a substantial number of complaints (28 percent) have community members with other or unknown race. 21 percent of complaints involve white community members. Only 2 percent of incidents are coded as involving Hispanic community members. Based on Orlando's demographics and the lack of ethnicity coding in other OPD databases, the question is whether this reflects data collection gaps and in addition whether this accurately reflects the involvement of Hispanic community members in complaint incidents.

<sup>61</sup> The 44 remaining allegations do not have an action listed; this appears to be a case of missing data.

Figure A 19 Race of community member complainants

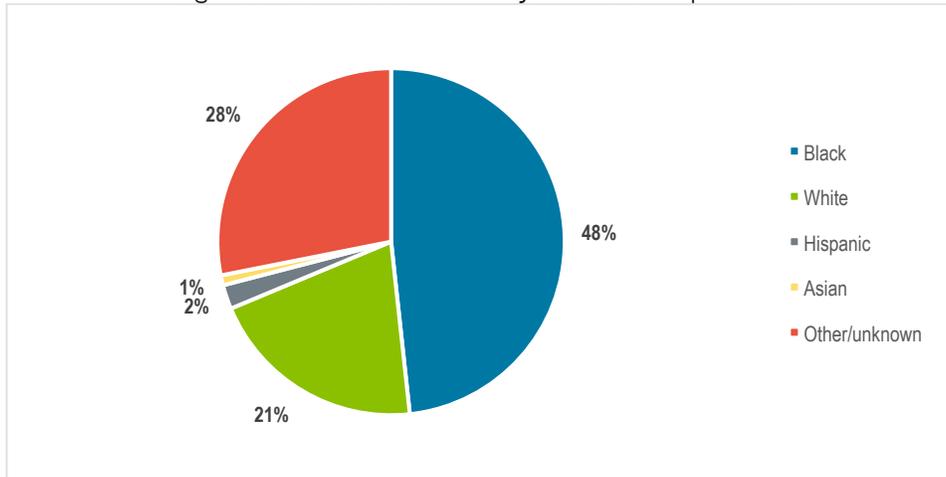
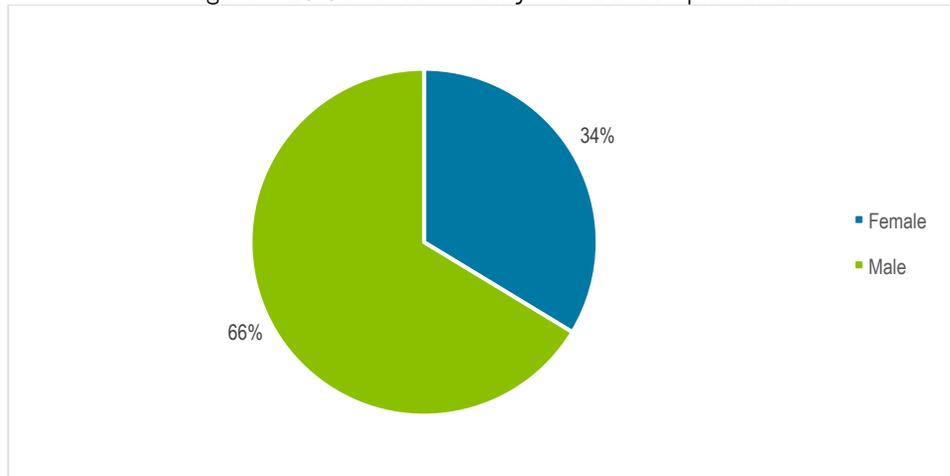


Figure A 20 displays the breakdown by sex of the complainant; complaints are more likely to involve a male complainant.

Figure A 20 Sex of community member complainants



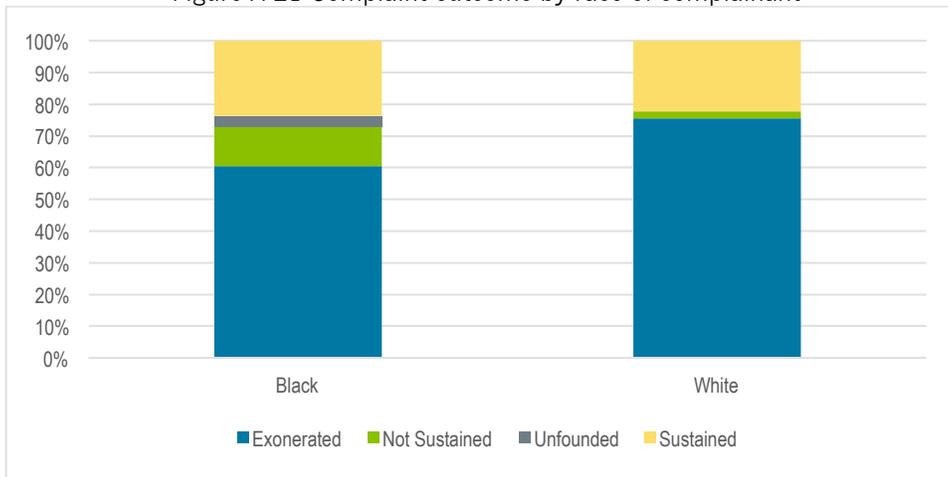
We next consider, for those complaints involving a single community member, the allegations associated with the complaint. As shown in the figure, there is variance in the relative frequency of the eight most common allegations by the race of the involved community member. Black community members are more likely to be involved in complaints related to use of force during arrests, courteous officer conduct towards the public, and treatment of prisoners/detainees than white community members.

Table A 8 Actions taken for complaints by most common allegations

Allegation	Overall		White		Black		Other/Unknown	
	Count	Percentage	Count	Percentage	Count	Percentage	Count	Percentage
<b>200-8(b) Obedience to Policies &amp; Procedures &amp; Other Written Directives</b>	64	27.9%	26	30.2%	33	25.6%	5	35.7%
<b>800-5 Deadly Force</b>	44	19.2%	24	27.9%	19	14.7%	1	7.1%
<b>200-8(a) Obedience to Laws</b>	41	17.9%	21	24.4%	17	13.2%	3	21.4%
<b>800-2(b) Arrests - Use of Force</b>	32	14.0%	7	8.1%	25	19.4%	0	0.0%
<b>200-1 Standards of Conduct</b>	13	5.7%	3	3.5%	8	6.2%	2	14.3%
<b>900-7 Conduct Toward the Public (a) Courtesy</b>	13	5.7%	1	1.2%	9	7.0%	3	21.4%
<b>800-2(a) Arrests - Improper</b>	11	4.8%	4	4.7%	7	5.4%	0	0.0%
<b>800-2(c) Arrests - Treatment of Prisoners/Detainees</b>	11	4.8%	0	0.0%	11	8.5%	0	0.0%

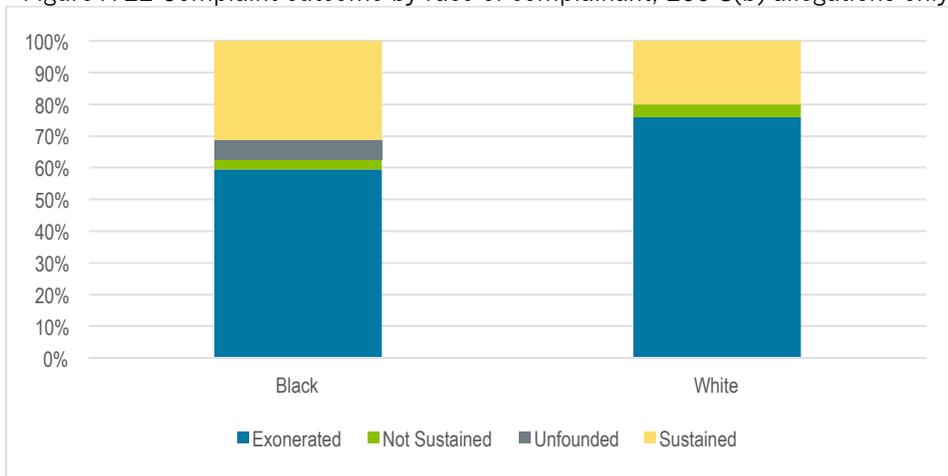
When considering the outcome of formal investigations compared with the race of the complainants, as Figure A 21 shows the likelihood of a complaint being sustained is nearly identical Black and white complainants. 23.7 percent of complaints involving Black community members are sustained and 22.2 percent of those involving white community members are. While a simple comparison of percentages cannot encapsulate issues such as the underlying allegations and evidence, it is suggestive that race does not seem to be associated with whether a complaint is sustained. Black community member’s complaints are somewhat more likely to result in a not sustained outcome, but this is due to relatively fewer exonerated outcomes in those complaints.

Figure A 21 Complaint outcome by race of complainant



To account for potential differences related to underlying allegations, given that we see that allegation types are not consistent across community member race, we also duplicate Figure A 22 limits to the most common allegation type (200-8(b) Obedience to Policies & Procedures & Other Written Directives). While this analysis is quite limited in overall sample size, reflecting just 57 allegations out of the total of 281 for which we can conduct analysis of community member race, it still allows for a more “apples to apples” comparison of complaint outcomes by race. As in the above figure, complaints involving Black community members are, in fact, somewhat more likely to be sustained while those involving white community members are more likely to be exonerated, the opposite pattern that one would expect if racial bias against Black community members were influencing outcomes.

Figure A 22 Complaint outcome by race of complainant, 200-8(b) allegations only



## Officer characteristics

To analyze characteristics of officers, we limit the sample to 949 complaints associated with 1,052 allegations that involve a single officer and either zero or one community member, again to avoid duplicate allegation entries due to officer- or citizen-witnesses. Figure A 23 displays the breakdown of involved officers, by race; we will next investigate how allegations and outcomes vary by race of the involved officer. Figure A 24 displays the sex of officers involved by allegation for the 970 allegations for which sex data is included; complaint allegations predominantly involve male officers.

Figure A 23 Race of officers involved in complaint allegations

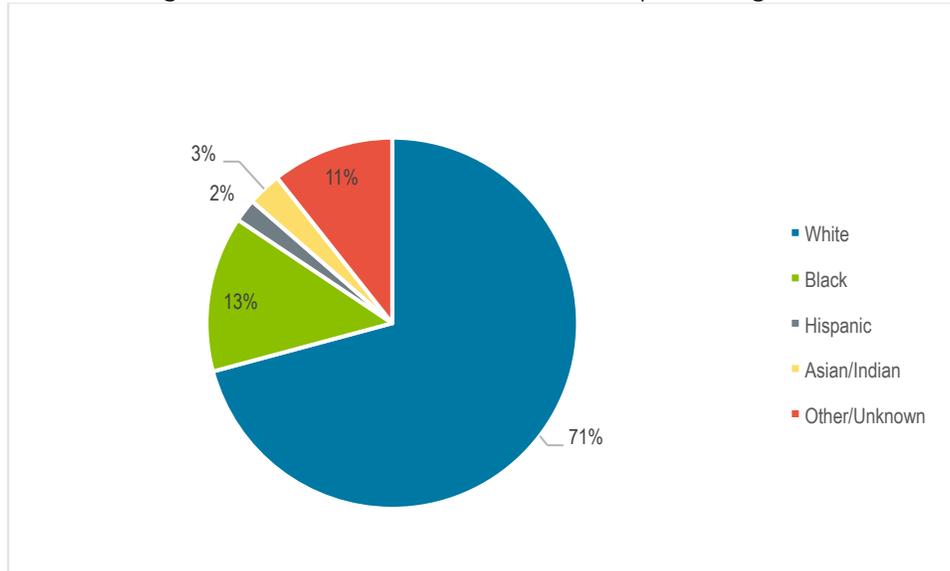
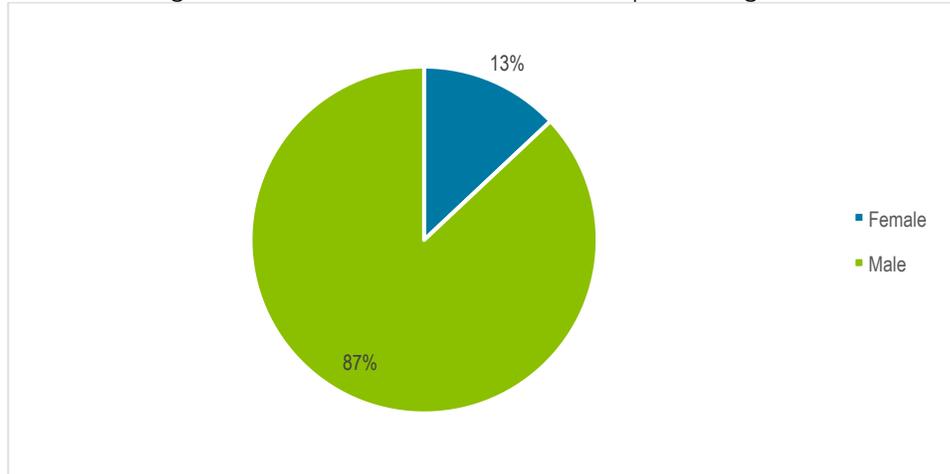


Figure A 24 Sex of officers involved in complaint allegations



When considering allegations and complaint outcomes, we further limit to the 576 allegations associated with formal investigations, since these are the only incidents that involve that information. In Figure A 25, we provide a breakdown of the ten most common complaint allegations, broken out by the race of the involved officer. The chart is arrayed from the most common (500-6) which represents 166 allegations to less common (200-4(a) representing 10 allegations. The most unusual racial distribution is seen in allegations related to 500-1 Department Property and Equipment, in which white officers make up fewer than 40 percent of the 15 allegations. However, this is based on a small sample of cases.

Figure A 25 Race of officers by complaint allegation

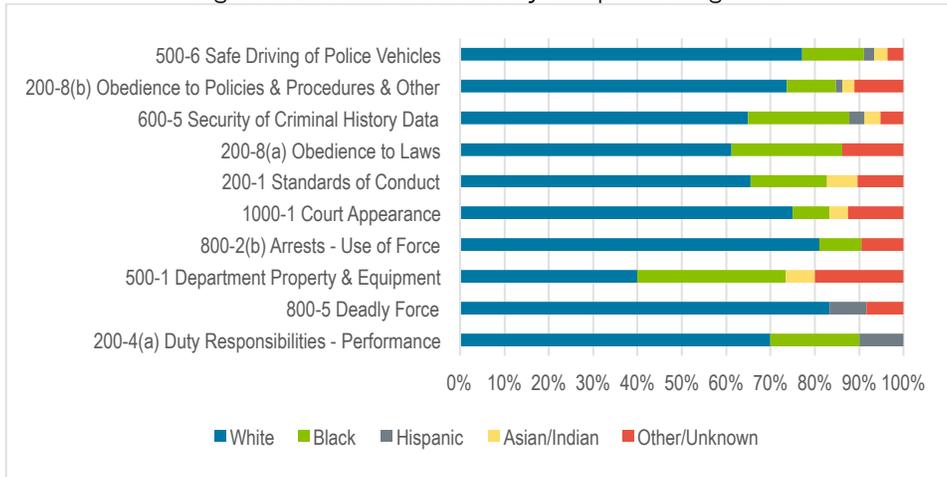
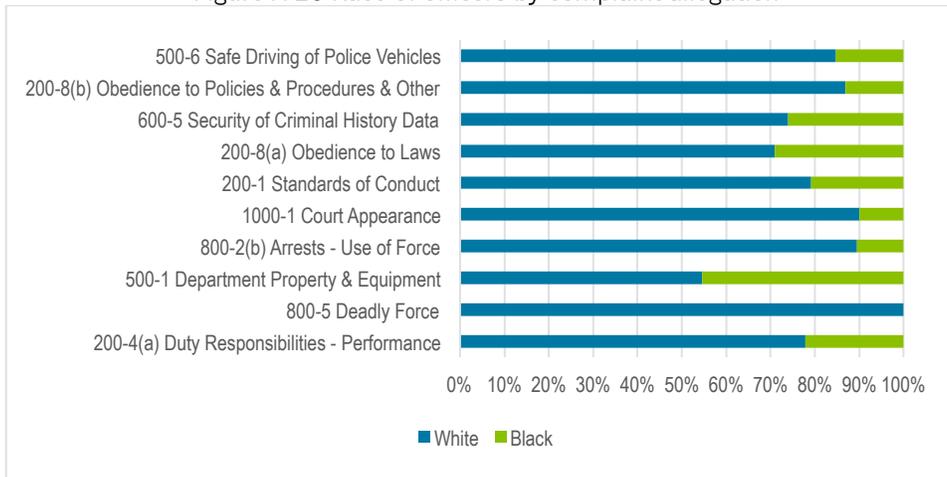


Figure A 26 Race of officers by complaint allegation



As with our analysis of involved community members, we also consider complaint dispositions, limiting to dispositions for white and Black officers, who make up the majority of involved officers in complaints. As seen in Figure A 27, Black officers are more likely to be involved in complaints that result in a sustained outcome, while white officers are more likely to experience exonerated outcomes. In Figure A 28 where we limit to only 200-8(b) allegations, this disparity is even more pronounced, though admittedly based on a small sample of cases (8) involving Black officers. This disparity does raise questions about internal procedural justice and equity in complaint investigations and outcomes.

Figure A 27 Complaint outcome by race of officer

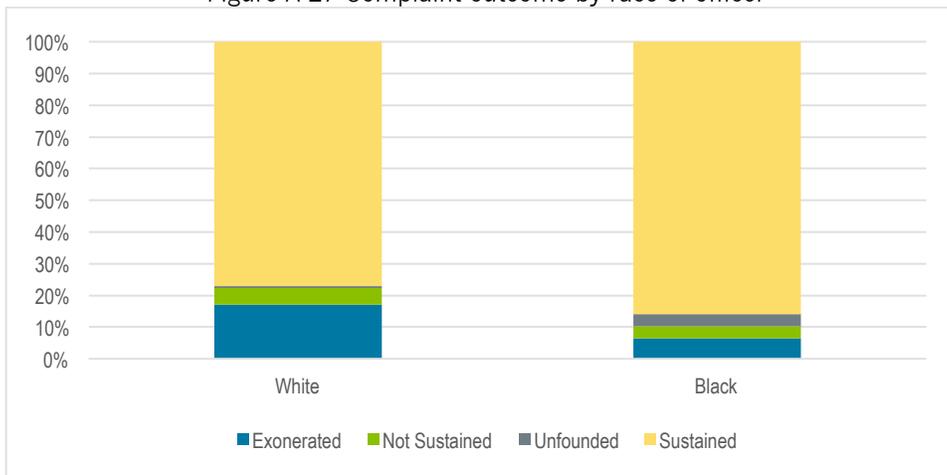
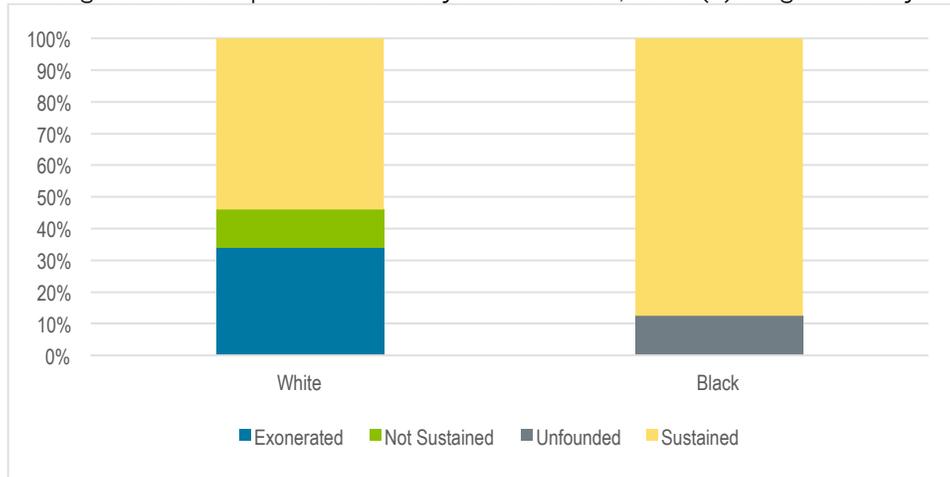


Figure A 28 Complaint outcome by race of officer, 200-8(b) allegations only



To further explore this, we consider the disciplinary actions taken for sustained complaints. Unfortunately, the number of cases is too limited to consider only one allegation type, so we aren't able to differentiate between differences that may be driven by officer race v. any correlation between race and more serious allegations. As seen in the figure, rates of oral reprimands (the most lenient common outcome) are similar for white and Black officers. Black officers are somewhat more likely to receive written censure while white officers are somewhat more likely to receive a suspension or termination.

Table A 9 Actions taken for complaints by most common allegations

	White		Black	
	Count	Percentage	Count	Percentage
<b>Oral Reprimand</b>	125	48.1%	28	48.3%
<b>Suspension</b>	74	28.5%	13	22.4%
<b>Written Censure</b>	40	15.4%	15	25.9%
<b>Termination</b>	12	4.6%	1	1.7%
<b>No Further Action</b>	4	1.5%	1	1.7%
<b>Officer Resigned Pending Investigation</b>	3	1.2%	0	0.0%
<b>Officer Resigned Prior to Being Served Discipline</b>	2	0.8%	0	0.0%

**OPD does not track dispositions for complaints categorized as supervisory referrals.**

OPD does not currently track the actions that supervisors take in response to complaints that they categorize as supervisory referrals. Supervisory referrals represent 29.1 percent of all complaints, and 44.7 percent of complaints that involve community members. OPD would benefit from tracking dispositions for these incidents. This will allow the agency to report back to community members, should they follow up on actions taken at a later point. It will also promote accountability and transparency, as OPD will be able to report to the community in general about how these complaints are handled. Finally, OPD will be able to regularly review this information internally to assess supervisors' decision-making and ensure that dispositions are being made equitably for these incidents across all personnel.

- ◀ **OPD should require supervisors to document the action they take in response to complaints considered supervisory referrals and monitor and analyze this data.**

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## OPD does not enumerate the role of community members in a complaint incident.

While OPD's complaint data system does list a role for each involved community member, this field is always coded as "Complainant" even for incidents where it is apparent from the narrative that some of the indicated individuals were not directly involved in the incident. As noted in the analysis section, this makes performing analysis about disparities in complaints difficult, and hampers a clear understanding of the incident without consulting each individual incident narrative.

- ◀ **OPD should adjust their complaint reporting system to ensure that community members are correctly categorized as involved (complainants) or witnesses.**

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## OPD does not consistently collect information about community member ethnicity.

As noted in the data analysis on arrests, complaints, field investigations, response to resistance and officer-involving shootings, and traffic stops, OPD does not consistently collect ethnicity data. In some systems, race and ethnicity are (in alignment with federal guidance) collected in separate data fields. However, in others, both are collected in a single data field, or ethnicity is not collected at all. In some data sets, based on the underrepresentation of Hispanic individuals compared to Orlando's population, it seems that data on ethnicity is not being collected consistently or accurately. The lack of accurate ethnicity data hampers analysis of disparities in law enforcement outcomes based on race or ethnicity.

OPD does not use unique officer and community member indicators in their complaint database, which could potentially result in conflating individuals with the same last name and demographic characteristics. As noted in the above analysis, an assumption is that the combination of first and last name, race, and sex resulted in unique individuals within an incident. However, OPD would benefit by assigning unique identifiers in this dataset to remove the necessity of making such an assumption. This is especially true for officers, for whom OPD presumably already has unique identifiers (e.g., badge numbers).

- ◀ **OPD should ensure that all data systems include a field to collect ethnicity data and that officers are trained to collect this data.**

## V. STOPS, SEARCHES & ARRESTS APPENDIX

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### ASSESSMENT BACKGROUND DETAILS

After consulting with OPD leadership and personnel our team was provided with a collection of policies and training bulletins that OPD considered to be the key documents related to Stop Search and Arrest practices ("SSA"). Those policies are listed below:

- 1104 - Citizen Dispute Settlement Program
- 1105 - Civil Property Disputes
- 1108 - Interacting with Individuals with Disabilities
- 1109 - Domestic Violence and Civil Process
- 1112 - Foreign Nationals and Consular or Diplomatic Immunity
- 1114 - Mental Health Cases (Baker Act)
- 1126 - Transient and Homeless Citizens
- 1127 - Trespass Warnings
- 1141 - Engaging with Transgender Persons and Gender Non-Conforming Persons
- 1142 - Cannabis and Civil Citation Program
- 1201 - Adult Booking Procedures
- 1203 - Juvenile Civil Citation Program
- 1204 - Juvenile Procedures
- 1205 - Notice to Appear Affidavits
- 1208 - Substance Abuse Services
- 1209 - Youth Protection Ordinance
- 1210 - Arrest Warrants and Juvenile Custody Orders
- 1302 - Civil Disturbances - Section 11

- WD13-06 - Traffic Stop Information
- TB1201 - Unwanted Guests...
- TB1312 - Search and Seizure Basics
- TB1315 - Search and Seizures of Persons
- TB1316 - Search and Seizure Arrests
- TB1317 - In-Home Terry Stops
- TB1704 - Juvenile Probation Offenders - Arrest Authority
- TB2016 - Loitering and Prowling
- TB2431 - Pedestrian Traffic Regulations
- OPD Traffic Operations Manual

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## POLICY REVIEW FINDINGS & EXAMPLES

Our team conducted an assessment of the provided OPD policies and found this list to be substantially complete. There was, however, at least two major omissions: TB1307 directed at warrants to search property and TB1314 directed at warrantless searches. It was found that some overall problems with the policies and training bulletins exist.

While OPD's policies outline steps officers should take to carry out enforcement actions, the policies lack a clear articulation of OPD's values and goals when carrying out those actions. The true aim of policies should be to comprise a set of guidelines accessible to both OPD members and the public concerning overall goals of key aspects of enforcement, how those goals ought to be achieved, and an articulation of a process of accountability to those goals and processes.

OPD's Trespass policy is a prime example of this problem. PP1127 on Trespass Warnings begins with the following words: "The purpose of this directive is to establish a procedure for trespass warnings and the utilization of Trespass Warning Authorization forms." Later the policy states: "The Orlando Police Department will issue trespass warnings and trespass warning authorizations in accordance with Florida Statutes, Orange/Osceola State Attorney guidelines, rulings from the U.S. and Florida Supreme Court and the Fifth District Court of Appeals." The rest of the policy is an articulation about how a member should carry out a trespass warning should that member decide to undertake this action. Importantly, the issue here is not that any of this material is necessarily incorrect. Neither is the problem that this material is here and should not be included. Rather, the issue is what is not included.

As a bedrock principle, a department's policies should set forth the standards, values, and expectations of the department. When one reads this policy there is no indication of what OPD would like to achieve in enforcing it. What are the goals? How should a member think about issuing a trespass warning rather than some other kind of enforcement action? None of that critical information is contained in the policy, and it is not clear that members are ever taught when and how they should think about undertaking this action. Moreover, it is difficult to see how training could be developed based on this policy to achieve these critical goals. Without such information, the decision is simply up to the officer, which puts the member and the department at risk of constitutional violations and also risks undermining community trust.

As a further point, it ought not be the case that the policy is simply to carry out an action – here, a trespass warning – in accordance with prosecutorial guidelines and state and constitutional law. Certainly, constitutional law and state statutes should set minimum standards to achieve, but the county prosecutor's office should not be dictating to the OPD what the department would like to achieve with the policy. It seems odd, at best, that a prosecutor's decision should set a goal of practice for a police department. Police departments are agents of the communities they serve, not prosecutors' offices.

To the extent that policies on key activities such as arrests and searches exist in the OPD materials, they are found in training bulletins rather than policy. This makes clear a basic problem. A training bulletin, which is by definition a summary statement of the latest law pertinent to enforcement action, cannot be a policy. Moreover, with respect to the key goal of informing the public concerning basic standards, goals and accountability processes, a training bulletin both inadequate and inapposite.

The training bulletins most relevant to SSA are TB 1201 on Adult Booking Procedure and TB 1312 and 1315 on Search and Seizure. The first, 1201, comprises procedures for carrying out an arrest. Note that it is highly unlikely that any ordinary member of the public would recognize this training bulletin as a policy on arrest as

nothing in the title so indicates that it has anything to do with arrest. This training bulletin contains important information about critical issues such as strip searches, transport of arrestees, handcuffing, the structure of interviews -- many of which deserve their own specific policies that ought to be developed in accordance with community consultation. In contrast, the training bulletin on Search and Seizure is mostly a summary of constitutional law on the matter with little to no specific guidance concerning how OPD directs its officers to think about reaching conclusions about, say, probable cause or reasonable articulable suspicion (“RAS”) in a world in which some members of the public fear the police and run from them. There are no admonitions about boilerplate conclusions concerning RAS or, importantly, examples of how a member might do this, and there is little guidance concerning policy on arrest and search in accordance with anti-discrimination and fairness and trust concerns. Because there is no policy on these matters, it is suspected that members are simply trained in constitutional law pertinent to enforcement actions. Constitutional minimums are not an agency policy.

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### **Analysis of available SSA data indicates possible evidence of racial bias.**

#### **◀ OPD should require collection of data of all Stop types**

- Traffic
- Subject
- Investigative

#### **◀ Stop data collected should include:**

- Reason for Stop
- Race/ethnicity
- Gender
- Subject type to include:
  - Driver
  - Passenger
  - Pedestrian
  - Suspicious person
  - Complainant
  - Witness
- Search or Pat Down
  - Consent
  - Reasonable Suspicion
  - Subject to Arrest
  - Vehicle
- Outcome of Search
- Disposition/Outcome of Stop

#### **◀ OPD should require documentation of all Search types**

- Search during stops as outlined above
- All other Warrantless Searches

#### **◀ OPD should immediately conduct a complete analysis of Arrest data against internal benchmarks for possible racially biased policing actions.**

- Analysis of Arrest data should include (but not limited to) cross reference with internal benchmarks of Citizen Complaints, Use of Force, Geographic Sector, Special Enforcement activities (traffic units, task force activities, other specialized activities)

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## TRAFFIC STOPS

OPD does not collect data on all stops and searches, which hampers the department and community's ability to better understand stop patterns. The stop and search data that is collected is also incomplete, which further adds difficulty to the task of evaluating these activities. A great number of stops and searches conducted by OPD officers are missed, including motor vehicle and pedestrian stops as well as voluntary citizen contacts.

Some data on reasonable suspicion stops, or consensual civilian encounters may be captured only if they are directed as part of an intelligence gathering effort to assist in case investigations. These stops are then captured through the Field Investigation Report – a paper form – and then entered into a database by a data entry unit, all but ensuring any analysis of this information cannot be near real-time and done in a timely manner. This information only includes race, sex, age, and contact reason. It does not include the disposition of the stop or whether any actions occurred during the investigatory stop.

The data that is captured during traffic stops is also incomplete. OPD collects data on the disposition of traffic stops (e.g., whether the stop resulted in an arrest, citation, or warning, or if no action was taken), the race<sup>62</sup> and gender of the driver, and sometimes the race and gender of the passengers if those individuals have a documented interaction with the officer.

OPD does not, however, clearly distinguish between the various people in the vehicle, so it is impossible to determine whether the recorded disposition relates to the driver or to a passenger. The driver's race or sex cannot always be identified with certainty when multiple participants are involved, and the ages of the participants are not captured at all.

OPD's stop data does not clearly indicate the legal basis for the stop or search and whether a search was conducted on the vehicle or a person. Contraband is recorded if it is found by the resulting evidence or records management system entry. While data on the location and duration of the stop is collected in CAD, other critical information is not captured. This includes affirmation that the incident was captured by body-worn cameras (and means to find that recording easily), the manner in which the individual was taken into custody by OPD (such as handcuffing or detention within the vehicle), whether a pat-down was conducted, and whether the incident was reviewed and approved by a supervisor.

Finally, OPD's data regarding stops is not regularly made available internally for management and evaluation purposes nor is it available through the City's open data portal. The department does conduct an annual analysis of the stop data, which is a good step towards better leveraging this information through further collection and data availability.

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OPD's traffic stop data collection is not structured well for analytical purposes and does not capture substantive information about traffic stops. The OPD can deploy a dedicated traffic stop data collection system with comprehensive fields included.

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OPD's traffic stop outcomes do not disproportionately impact Black or Hispanic drivers.

The OPD provided the data for traffic stops within the city and the airport district for a six-year period between January 1, 2015 and November 30, 2020. The OPD conducted 292,630 stops during that time, 290,069 occurring in the city and 2,561 in the airport area. OPD's data collection and database for traffic stops limited the analysis the assessment team was able to perform.

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<sup>62</sup> The OPD may consider refining demographic data collection related to both race and ethnicity, and other community preferred characteristics

Here we summarize the characteristics of the data collection and structure that impacted the analysis options

- OPD does not distinguish between drivers and passengers and does not associate traffic stop outcomes with a specific individual (where an individual is defined as a set of demographic characteristics – OPD does not include unique individual identifiers).
- 16,726 (5.7 percent) traffic stops have no associated demographic data;
- 2,118 traffic stops have no defined disposition for the stop; these include both stops that have only demographic data and no dispositions, as well as stops that have what appear to be disposition codes that are not defined in policy.
- OPD traffic stop disposition data includes many dispositions atypical for traffic stops, such as “false alarm”, “canceled by complainant”, “building search”, “bomb search”, “no such address”, and “trespassing warning”. The presence of these various dispositions raises concerns about the accuracy and cleanliness of the data.
- 18,230 (6.2 percent) traffic stops do not include any typical traffic stop disposition, namely a disposition of “traffic summons” or “verbal warning”; when adding arrests as well, there are still 14,681 (5.0 percent) with no typical disposition for a traffic stop.
- 78,287 traffic stops include a disposition of “turned over to other OPD unit” which OPD defined as a situation in which a backup officer leaves the scene and turns the stop over to the primary officer. It is not clear why this occurs in over one quarter (26.8 percent) of stops.

### Traffic Stop Characteristics

#### Stops Over Time and Outcomes

OPD’s traffic stop activity has declined over the past six years, and had significant variability in 2020, likely due to adjustments to police practices during the COVID-19 pandemic. Traffic stop rates can decline for various reasons, and it is important for agencies to understand these reasons to ensure that they are remaining responsive to community concerns about traffic safety and enforcement in their neighborhoods, while balancing concerns about over policing or disparately targeted enforcement.

Figure A 29 Traffic stops over time



When considering the 277,949 (95.0 percent) of listed stops that include a typical traffic stop outcome (traffic summons, verbal warning, or arrest), Figure A 30 displays trends by outcome. Note that outcomes are not mutually exclusive—3,392 stops (1.2 percent of all stops) have two outcomes and 43 have three (i.e., all outcomes considered).

Figure A 30 Traffic stop outcomes over time

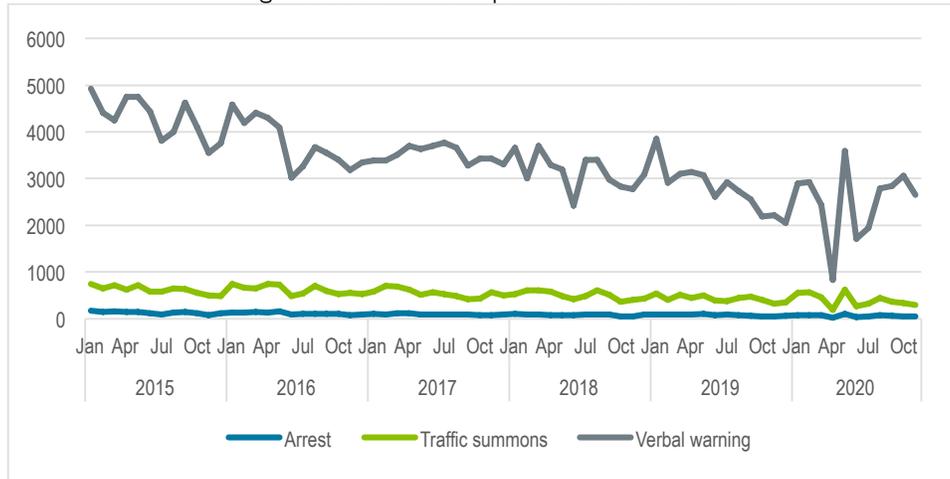
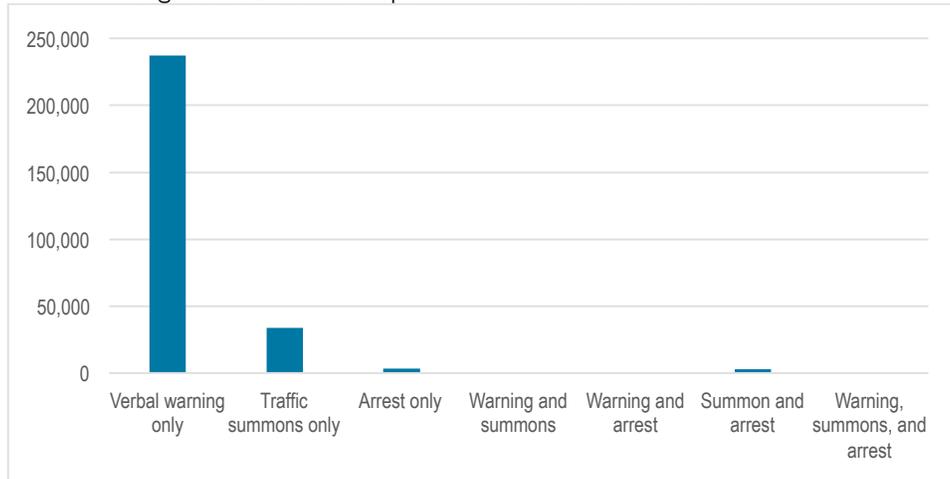


Figure A 31 shows the breakdown of stop outcomes for the stops with typical stop outcomes, broken into mutually exclusive categories. Stops that end only in a verbal warning are the most common, representing 85.3 percent of total stops. 12.2 percent of stops result in traffic summons only, 1.3 percent in an arrest only, and the remaining 1.2 percent of stops have a combination of multiple outcomes.

OPD has a relatively low citation rate for traffic stops based on this data. For example, a recent large-scale study of traffic stops in North Carolina found that 65 percent of stops end in citations, and work with the Maricopa County, Arizona, Sheriff’s Office found that 52 percent of stops end in citations. Furthermore, work under the Department of Justice Office of Community Oriented Policing Services Collaborative Reform Initiative found rates of 62, 65, and 73 percent in Fayetteville, North Carolina; St. Louis County, Missouri; and San Francisco, California, respectively.<sup>63</sup>

<sup>63</sup> Baumgartner, F. R., Epp, D. A., & Shoub, K. (2018). *Suspect citizens: What 20 million traffic stops tell us about policing and race*. Cambridge, UK: Cambridge University Press.  
 Rodriguez, D., Kunard, L., Johnson, W., LaRochelle, J., & Thorkildsen, Z. (2015). *Assessment report on the Fayetteville (North Carolina) Police Department. Collaborative Reform Initiative*. Washington, DC: Office of Community Oriented Policing Services.  
 Norton, B., Hamilton, E. E., Braziel, R., Linskey, D., & Zeunik, J. (2015). *An assessment of the St. Louis County Police Department. Collaborative Reform Initiative*. Washington, DC: Office of Community Oriented Policing Services.  
 COPS Office. (2016). *An assessment of the San Francisco Police Department. Collaborative Reform Initiative*. Washington, DC: Office of Community Oriented Policing Services.  
 Thorkildsen, Z., Bryson, B., Wohl, E., Carleton, B., & Lafferty, J. (2020). *Maricopa County Sheriff’s Office Traffic Stops Analysis Report: January 2019–December 2019*. Phoenix, AZ: Maricopa County Sheriff’s Office.

Figure A 31 Traffic stop outcomes and outcome combinations

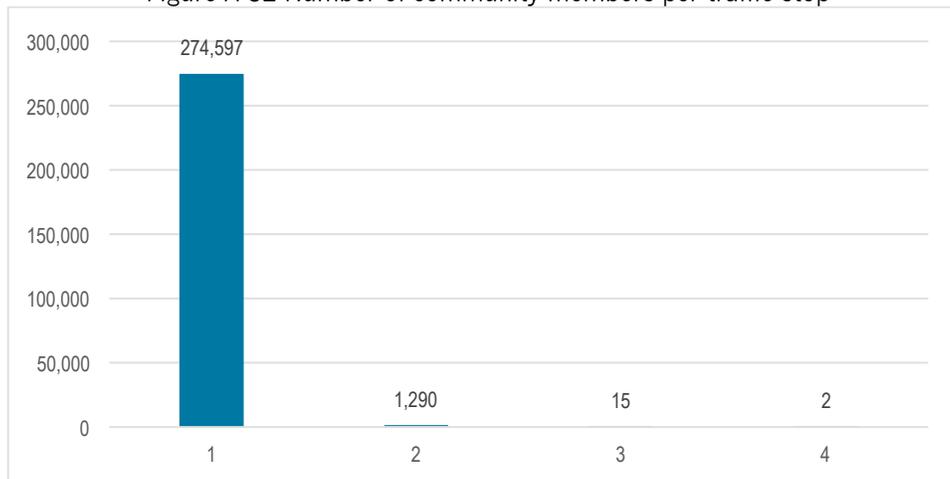


**Person Characteristics**

**Community Members**

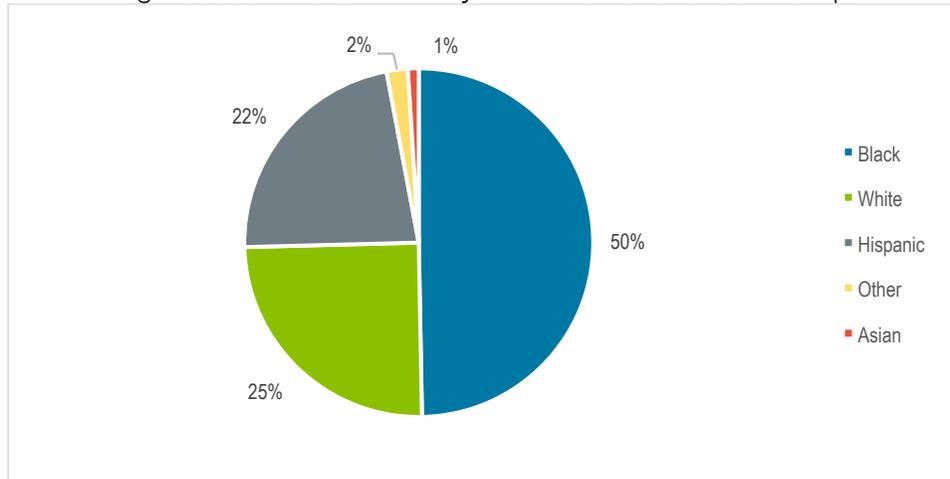
The number of community members involved in a traffic stop varied from 1 to 4 (omitting the 16,726 stops with no information about involved community members). Figure A 32 displays the distribution of the number of involved community members. The vast majority, 99.5 percent, of stops involve a single community member, with half a percent involving two community members, and less than a hundredth of a percent involving three or four community members.

Figure A 32 Number of community members per traffic stop



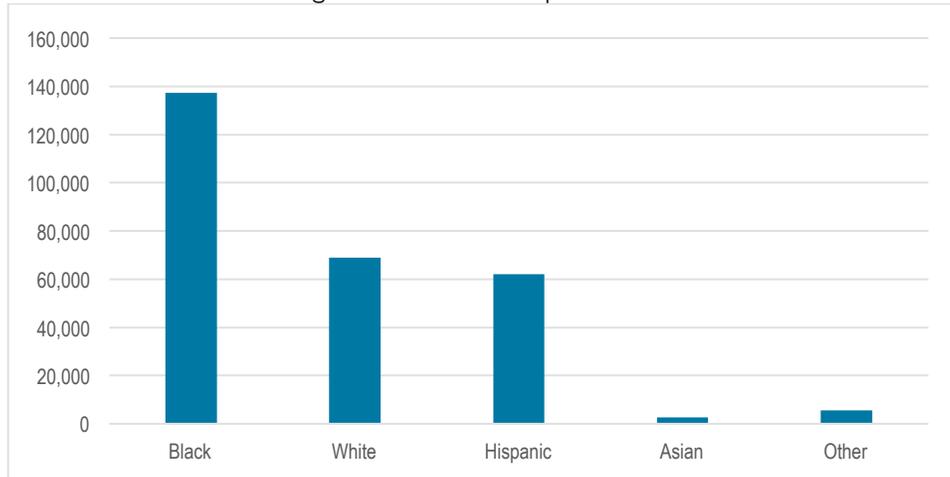
Due to the inability to disentangle driver and passenger demographics, data about race is presented in several ways. In the time period analyzed, OPD collected demographic data about 277,230 community members. Figure A 33 shows the breakdown of these community members by race. Half of these community members were Black, 25 percent were white, and 22 percent were Hispanic. In this data set, OPD combines race and ethnicity into a single data field.

Figure A 33 Race of community members involved in traffic stops



We also considered the percentage of stops that involved at least one individual of a given race. We note that these categories are not mutually exclusive; 493 traffic stops involved individuals of multiple races. These percentages closely mimic those when considering each individual separately, as opposed to each traffic stop, which is driven by the fact that most stops involve just one person.

Figure A 34 Traffic stops over time



### Race and stop outcome

We next considered traffic stop dispositions (limited to warnings, summons, and arrests) compared to the race of the involved individual. Since we cannot associate dispositions with specific individuals in multi-person traffic stops, We limited this analysis to the 274,597 stops that involve only a single community member. Further, we consider only those stops with a single outcome, since the relative number of stops with multiple outcomes is very low and it is difficult to rank, for example, how a stop with a warning and summons compares with a stop with an arrest. In contrast, stops with a single outcome can easily be ranked by severity moving from warning to summons to arrest. Our sample size is therefore 265,928, representing 95.7 percent of all stops with typical traffic stop outcomes.

As seen in Table A 10, Black and Hispanic community members are more likely to receive warnings than white community members, compared with other stop outcomes. In this analysis, we limit arrests to those not compelled by warrants, since warrant arrests are not discretionary on the part of the officer.

Table A 10 Stop outcomes by race

Race	Warning only	Summons only	Non-warrant arrest only	Total
Asian	84.9%	15.1%	0.0%	100.0%
Black	90.0%	9.9%	0.1%	100.0%
Hispanic	85.4%	14.6%	0.1%	100.0%
Other	85.8%	14.2%	0.0%	100.0%
White	84.4%	15.5%	0.1%	100.0%

OPD’s current system for collecting traffic stop data does not reflect best practices

The system does not mirror best practices of other outside organizations analyzing and understanding traffic stop activity conducted by officers, nor whether there are disparities in traffic stop outcomes for certain populations. OPD collates traffic stops as part of all police activity in their computer-aided dispatch and records management systems (CAD/RMS), using dispatch codes to categorize stops by disposition and by race and sex of involved community members. As noted in the analysis above, OPD does not distinguish between drivers and passengers. The data include a substantial number of what appear to be data entry errors or typos in the entered codes. There is relatively sparse information about the traffic stop itself, as no reason for stop is included nor are stop times included. The data also seems to conflate boat stops and vehicle stops, with the only way to distinguish these being the disposition. Finally, OPD does not track in their data system whether a search took place during the traffic stop. Tracking search and seizure activity during stops is particularly important to ensuring agencies are operating within constitutional policing principles.

◀ **OPD’s approach to stop data collection could be refined and improved to provide more comprehensive and readily analyzable data. OPD should implement a dedicated traffic stops data collection system**

OPD should expand its data collection policies with respect to stops and searches so that data on all such incidents, rather than only those that originate with a traffic stop or directed by an investigation, is collected. OPD should also specify which person within a vehicle was stopped, searched, or arrested during an encounter. It is not possible under OPD’s current data system to determine what percent of stops lead to a search, what percent of searches lead to contraband being found, and the race and gender of those who were stopped. These are critical data points in evaluating the validity and impact on the community of stops, searches, and arrests. OPD needs to not only change their policy but also invest in the appropriate technology to better capture this information. OPD cannot capture the requisite information through dispositions in CAD though it may be possible to modify the RMS, or develop other data collection instruments to accomplish this objective. Finally, OPD’s annual analysis of stops is a good start though the department should implement a regular reporting mechanism for identifying and monitoring trends over time.

OPD has a low traffic stop citation rate compared to other police departments.

OPD officers issue traffic summons for under 14 percent of stops (sometimes in combination with other outcomes). This rate is comparatively low based on similar analyses of other agencies. Simply having a lower citation rate does not necessarily indicate that OPD should make changes to their policies and practices. However, it is an unusual pattern, and is suggested that OPD gather further information to understand the relatively low rate of citations and ensure that officer decision-making about issuing traffic summons aligns with departmental goals, policies, and desired practice.

◀ **OPD should investigate how officers come to the decision to provide a traffic summons during a stop AND ensure that enforcement is taking place appropriately and within policy.**

## ARREST DATA (WARRANT, NON-WARRANT MISDEMEANOR, NON-WARRANT FELONY, NOTICE TO APPEAR & CITY ORDINANCE DATA)

The OPD provided data for the arrests within the city and the airport district between January 1, 2015 and December 31, 2019. These data include 54,405 unique arrest incidents with 59,370 arrested people. This section contains five data areas. Each section provides a summary of the overall themes identified in the data analysis, an overview of the data sources and analysis relevant to that topic, and the resulting findings and actionable recommendations for OPD. Additionally, each section discusses relevant OPD's policies and procedures to the various topical areas.

- *Warrant: Arrest made when the arrestee has an active warrant. Can be misdemeanor or felony.*
- *Non-warrant misdemeanor: Arrest made by the officer without a warrant where the crime is a misdemeanor.*
- *Non-warrant felony: Arrest made by the officer without a warrant where the crime is a felony.*
- *Notice to appear: Person is given a court date for a misdemeanor crime but is not physically arrested.*
- *City ordinance: Arrest made by the officer for violations of a city ordinance.*

Overall, and in line with national trends, the number of arrests and the number of people arrested declined between 2015-2019.<sup>64,65</sup>

More than half (55.8 percent) of arrested people are non-Hispanic Black, but the U.S. Census Bureau's American Community Survey estimates that just 24.5 percent of individuals living in Orlando were non-Hispanic Black in 2019.<sup>66</sup>

Based on the data available, it is not clear whether bias in policing practices is present, but this pattern warrants further exploration. In line with trends nationwide, males represent the vast majority (78.4 percent) of arrested people in Orlando.<sup>67</sup> OPD is more likely to arrest non-Hispanic Black males following all occurred incident types and for all types of arrests. Non-Hispanic Black people account for the greatest share of arrested people for all occurred incident types<sup>68</sup>, though this difference is particularly pronounced for non-violent incident types. Non-Hispanic Black people make up 54.4 percent of arrests that occur for non-violent occurred incidents. Although the occurred incident type may not reflect the charges the people are ultimately arrested on, this pattern indicates that non-Hispanic Black individuals are more likely to be arrested when the occurred incident is more discretionary in nature, such as is the case for many non-violent incident types. Unlike when a warrant for arrest is issued (no discretion involved), an officer may have discretion in who to arrest and how to arrest the person when operating without a warrant to justify an arrest. For instance, a person who is drunk in public potentially could be arrested, or not, based on an officer's discretion. Non-Hispanic Black individuals are more likely to be arrested for every arrest type. The number of non-Hispanic Black individuals arrested is significantly different when compared to their peers of all other race-ethnic groups for all arrest types, but this difference is particularly pronounced for felony arrests and warrant arrests. Non-Hispanic Black individuals make up 61.8 percent of felony arrests and 63.1 percent of warrant arrests.

There is summary evidence of racial bias in OPD's arrest practices. OPD arrests non-Hispanic Black individuals at a rate higher than their representation in the population and all other groups at a rate lower than their representation in the population.

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<sup>64</sup> <https://www.justice.gov/opa/pr/fbi-report-crime-shows-decline-violent-crime-rate-third-consecutive-year>

<sup>65</sup> <https://www.fbi.gov/news/stories/2018-preliminary-semiannual-uniform-crime-report-released-022519>

<sup>66</sup> <https://www.census.gov/quickfacts/fact/table/orlandocityflorida/PST040219>

<sup>67</sup> [https://www.bjs.gov/content/pub/pdf/cpp15\\_sum.pdf](https://www.bjs.gov/content/pub/pdf/cpp15_sum.pdf)

<sup>68</sup> Occurred incidents are the types of events that officers respond to. The occurred incident type may be different from the crime the person is arrested for or charged with.

## Timing of arrests

As shown in Figure A 35, the number of arrests OPD made each year trended downward with 12,922 arrests in 2015 and 10,472 arrests in 2019. The figure presents the number of arrests per year to identify patterns in the number of arrests over time. The number of arrests by month and year is presented to identify patterns in the number of arrests throughout the year in Figure A 35 and 36. In 2016-2019, there is a slight increase in number of arrests in quarter two (April-June) then a slight decline in quarters two and three.

Figure A 35 Number of arrests per year, 2015-2019 (N=54,405)

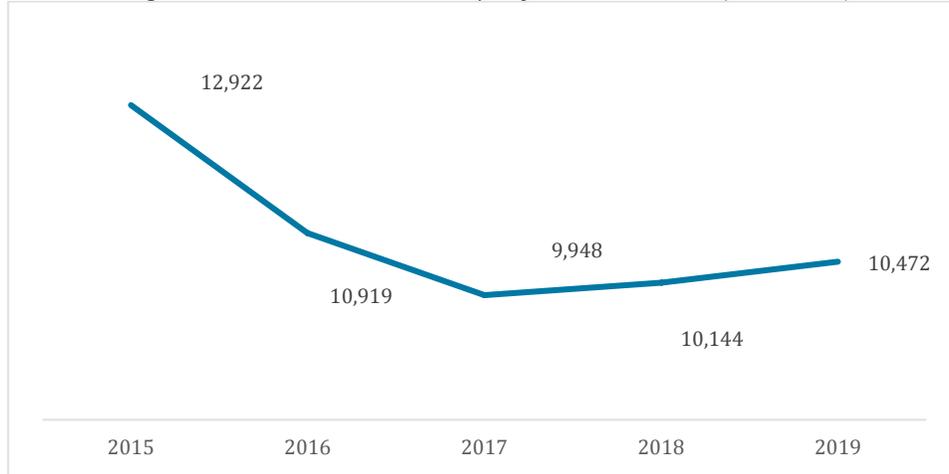
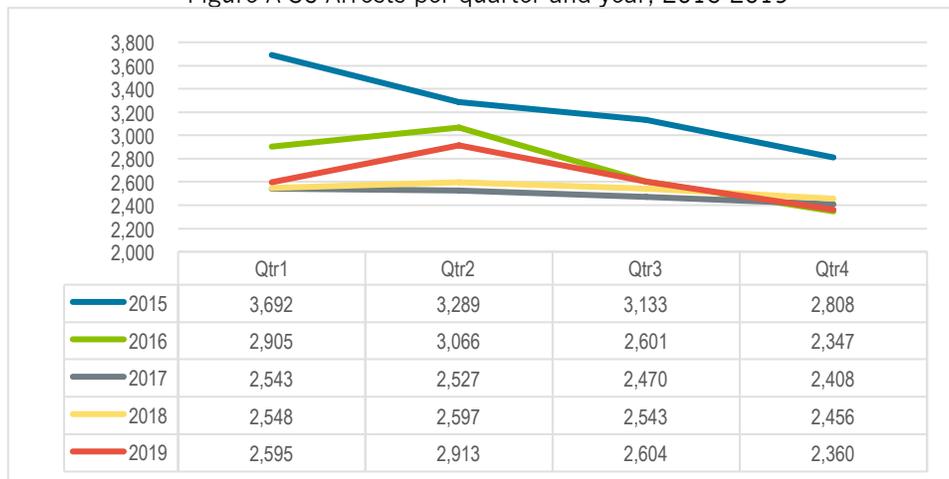


Figure A 36 Arrests per quarter and year, 2015-2019



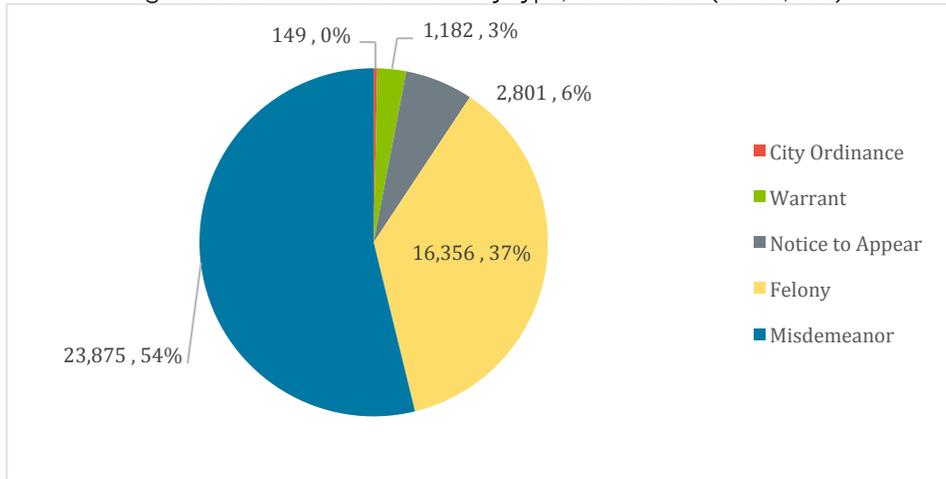
## Arrest type

The arrest type for each arrest is examined. There are five arrest types in the data:

- *Warrant: Arrest made when the arrestee has an active warrant. Can be misdemeanor or felony.*
- *Non-warrant misdemeanor: Arrest made by the officer without a warrant where the crime is a misdemeanor.*
- *Non-warrant felony: Arrest made by the officer without a warrant where the crime is a felony.*
- *Notice to appear: Person is given a court date for a misdemeanor crime but is not physically arrested.*
- *City ordinance: Arrest made by the officer for violations of a city ordinance.*

The figure presents the arrests by type to demonstrate what proportion of arrests are associated with each arrest type. There are data available on arrest type for 44,364 arrests. As shown in Figure A 37, over half (53.8 percent, n=23,875) were non-warrant misdemeanors, around one-third (36.9 percent, n=16,356) were non-warrant felonies, 6.3 percent were for notice to appear (n=2,801), 2.7 percent were warrants (n=1,182), and less than one percent were for city ordinance violations (n=149).

Figure A 37 Number of arrests by type, 2015-2019 (N=44,363)

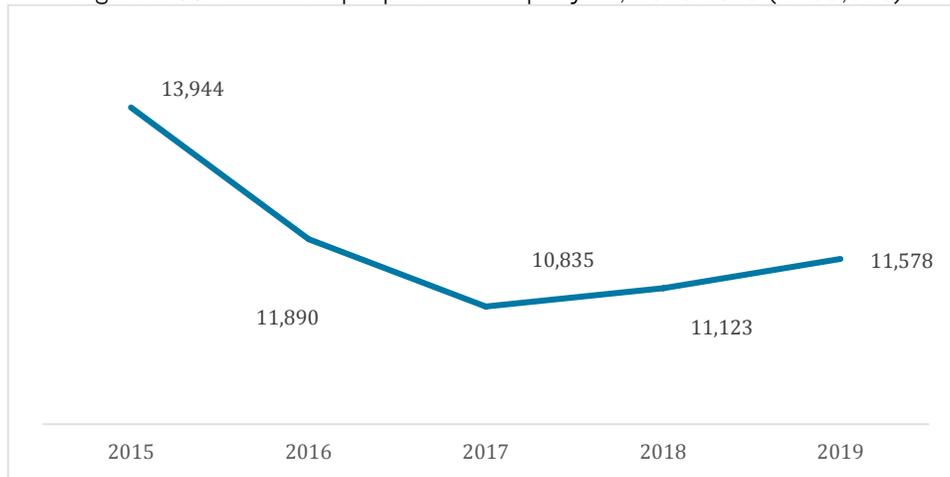


OPD arrested 50,421 individuals between 2015-2019. OPD arrested between one and twelve people in each unique arrest incident. Most arrests (92.7 percent) included only one arrested Person.

### Arrested People per Year

There were 59,370 people arrested from 2015 to 2019; 11,854 (20.0 percent) of these people were arrested in the airport area. Similar to the pattern in number of arrests per year, there was a slight decline in the number of people over the period of 2015 to 2019 with 13,944 people arrested in 2015 and 11,578 arrested in 2019. This presents the number of people arrested per year to identify patterns in the number of people arrested over time.

Figure A 38 Number of people arrested per year, 2015-2019 (N=59,370)



### Arrested Persons' race and ethnicity

The race-ethnicity of arrested Persons is presented to show the proportion of people belonging to each race-ethnic group. Data on race and Hispanic ethnicity is available for 59,195 (missing data for 175 individuals). 33,030 people were non-Hispanic Black, representing 55.8 percent of all arrested people. The next highest racial-ethnic group is non-Hispanic white individuals who made up 23.5 percent of arrested individuals (n=13,899) followed by Hispanic individuals of any race who made up 20.1 percent of arrested people (11,905). Non-Hispanic Asian/Pacific Island or American Indian/Alaska Native individuals represent only 319 of all arrestees, or about 0.5 percent. Finally, 42 arrestees were non-Hispanic, but their race was not recorded.

One way to assess whether there is potential racial bias in arrests is to conduct external benchmarking. This benchmarking process allows comparison of whether the proportion of people arrested is about the same, more, or less than their representation in the population. Through external benchmarking, the proportion of arrested people is compared with some external measure or proxy for involvement in criminal behavior. A popular, though statistically weak, benchmark is to compare the proportion of arrested people by race-ethnicity with the population breakdown of race-ethnicity in the area as recorded by the U.S. census. Using the US Census as a benchmark is not ideal, but is the only benchmark available based on the variables in the arrest data.

The Census is not an ideal benchmark for two reasons. First, it does not account for exposure to police. That is, if black and brown communities are subject to over-policing, then they are more likely to come into contact with the police, and thus more likely to be arrested than their representation in the US Census would suggest. Second, the Census does not account for involvement in illicit behavior and is therefore a weak proxy for involvement in criminal activity. With these limitations in mind, comparisons with the US Census are provided below, and we conduct a test of proportions to determine if a group's representation in the population is significantly different to their representation in arrested persons.

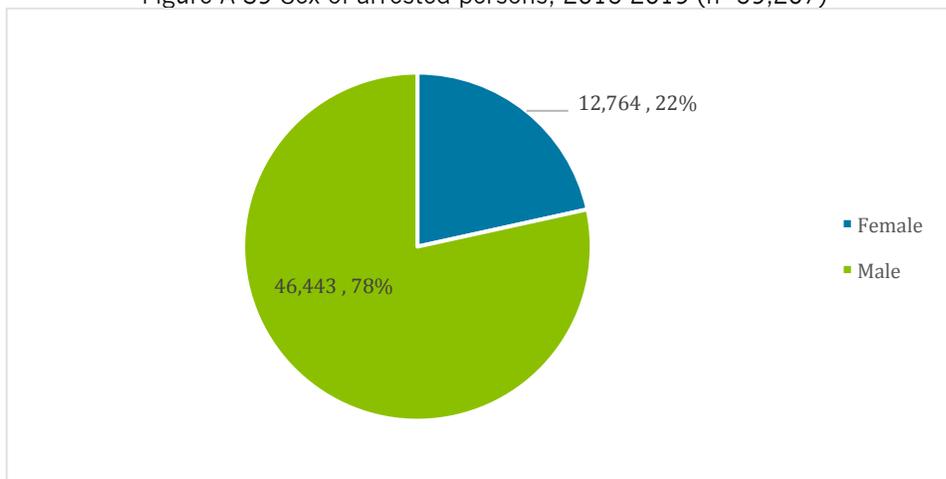
In summary, there is evidence for racial bias in OPD's arrest practices. OPD arrests non-Hispanic Black individuals at a rate higher than their representation in the population and all other groups at a rate lower than their representation in the population.

- 55.8 percent of arrested individuals are non-Hispanic black, while non-Hispanic Black individuals comprise 24.5 percent of the population of Orlando. This difference is statistically significant. OPD arrests non-Hispanic Black individuals at a rate that is 31.3 percent higher than their representation in the population.
- 23.5 percent of arrested individuals are non-Hispanic white, while non-Hispanic white individuals comprise 61.3 percent of the population of Orlando. This difference is statistically significant. OPD arrests non-Hispanic white individuals at a rate that is 37.8 percent lower than their representation in the population.
- 20.1 percent of arrested individuals are Hispanic, while Hispanic individuals comprise 32.6 percent of the population of Orlando. This difference is statistically significant. OPD arrests Hispanic individuals at a rate that is 12.5 percent lower than their representation in the population.
- 0.54% percent of arrested individuals are Asian/Pacific Islander or American Indian/Alaska Native, while these groups comprise 4.4 percent of the population of Orlando. This difference is statistically significant. OPD arrests Asian/Pacific Islander or American Indian/Alaska Native individuals at a rate that is 3.9 percent lower than their representation in the population.

### Arrested Persons' Sex

Data are available for the sex of 59,207 arrested persons (missing data on biological sex for n=163 individuals). Data on sex is missing when the record is sealed, the person was purged, or the record was expunged. As shown in Figure A 39, just over three-quarters of those arrested were male.

Figure A 39 Sex of arrested persons, 2015-2019 (n=59,207)



Comparisons with the US Census are provided below, and a test of proportions to determine if a group's representation in the population is significantly different to their representation in arrested persons. Male comprise 48% of the population of Orlando but 78.4% of those arrested. This difference is statistically significant. Males are arrested at a rate that is 30.4 percent higher than their representation in the population (and females are arrested at a rate 30.4 percent lower than their representation in the population).

Table A 11 displays the cross tabulation of race-ethnic group and sex to examine whether arrested people are more likely to belong to specific combinations of race-ethnicity and sex. Non-Hispanic Black males make up the greatest share of arrested people (44.7 percent) followed by non-Hispanic White males (17.4 percent), Hispanic males (15.9 percent) and then non-Hispanic Black females (11.1 percent). All other groups made up less than ten percent of arrested people.

Table A 11 Race-ethnicity and sex of arrested persons, 2015-2019

	Non-Hispanic Black	Hispanic	Non-Hispanic Asian	Non-Hispanic Unknown	Non-Hispanic White	Grand Total
<b>Female</b>	11.1%	4.2%	0.1%	0.0%	6.1%	21.6%
<b>Male</b>	44.7%	15.9%	0.4%	0.1%	17.4%	78.4%
<b>Total</b>	55.8%	20.1%	0.5%	0.1%	23.5%	100.0%

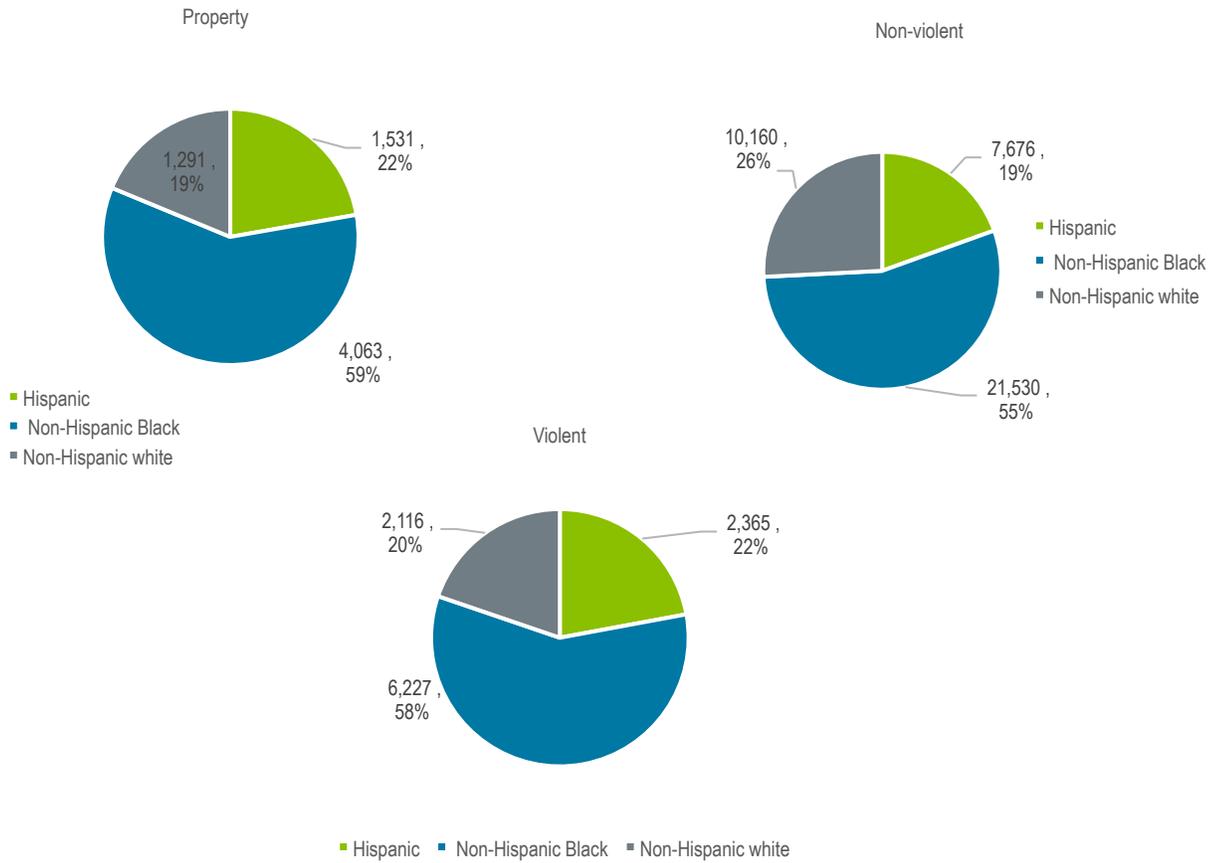
### Arrested Persons' Characteristics by Occurred Incident Type

OPD refers to the incident type the officer(s) responded to as the occurred incident type. Importantly, the occurred incident type may be different from the crime the person is ultimately arrested for or charged with. Incident types are grouped into four categories:

- Violent crime: crimes in which a victim is harmed by or threatened with violence. A violent crime is one that is committed with the threat or actual use of force or violence. Common violent crimes types include assault, battery, aggravated battery, manslaughter, homicide, kidnapping, and homicide but this list is not exhaustive.
- Property crime: crimes in which property is stolen or damaged, without the use or threat of violence against an individual.
- Non-violent crime: crimes other than property crimes that do not involve the use or threat of violence against an individual. Most of these crimes are related to public ordinances or substance use.
- No crime occurred: incidents in which officers respond for a reason other than a crime, often to provide a public service, for example to report a missing person or lost or found item.

As shown in Figure A 40, non-Hispanic Black people (blue) account for the greatest share of arrested people for all occurred incident types, though this difference is particularly pronounced for non-violent occurred incident types. Specifically, non-Hispanic Black people make up 54.4 percent of arrests that occur for non-violent occurred incidents. One mechanism for understanding disparities in arrests is to consider relative proportions of arrests by race for charges with discretion on the part of the officer. Discretion is typically considered low for arrests related to violent crime and property crime types such as assaults, burglaries, homicides, robberies, sexual assault and rape, and warrants. These crimes are severe, thus when there is probable cause officers will usually make the arrest in the interest of protecting public safety. However, the decision to arrest for non-violent crime types such as violations of public ordinances or drug and alcohol possession is highly discretionary. Officers may choose to let people off with a warning or refer them to mental health/substance abuse services if there is no imminent threat to public safety. Concerns arise when there is evidence that this discretion is used to systematically be more punitive to certain groups, whether intentionally or not. Non-Hispanic Black people are more likely than other racial-ethnic groups to be arrested for every occurred incident type. The arrest data do not provide information about charges, so it is unclear whether actual charges associated with these incidents were more or less discretionary in nature.

Figure A 40 Arrested persons' race-ethnicity by occurred incident type, 2015-2019 (N=58,752)



Incident type by sex was examined. According to Figure A 41, males made up 75-80% of arrested persons for all occurred incident types.

Figure A 41 Arrested persons' sex by occurred incident type (n=59,287)

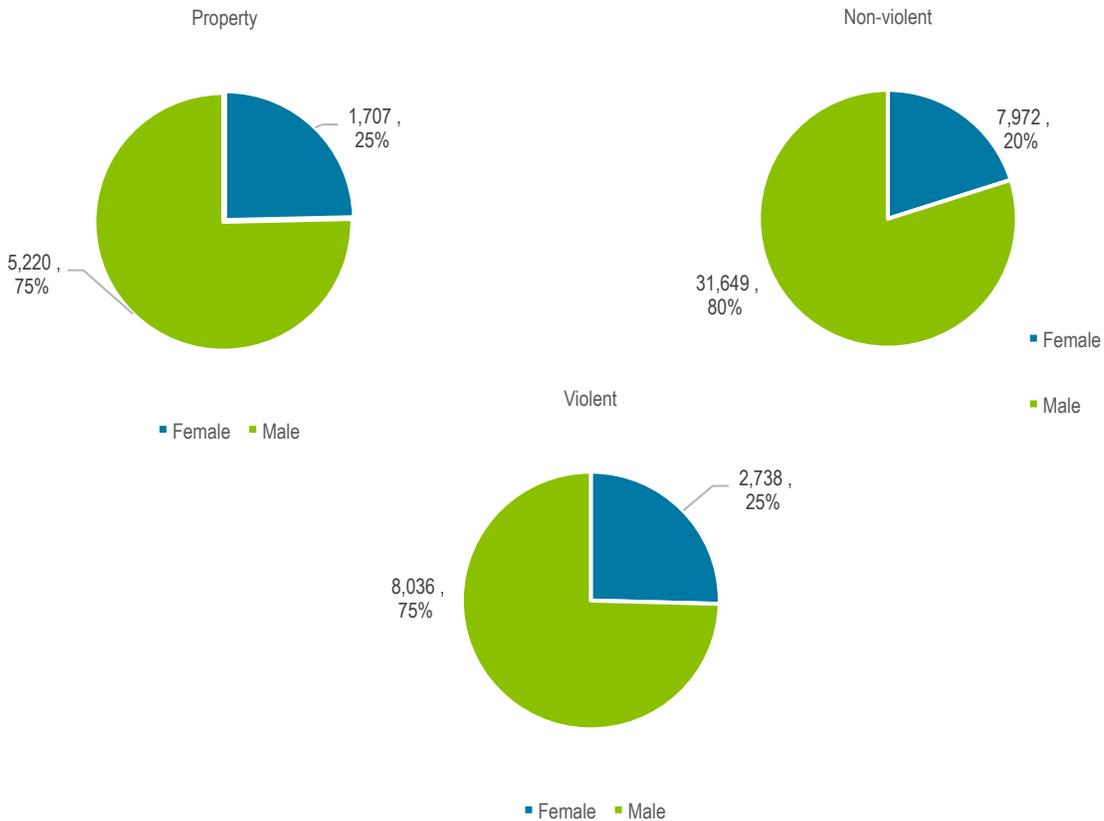


Table A 12 shows race and sex by occurred incident type. As shown in Table A 12, non-Hispanic Black males make up the largest group for all occurred incident types.

Table A 12 Race-ethnicity and sex of arrested persons by occurred incident type

	No Crime	Non-Violent	Property	Violent
<b>Non-Hispanic Black</b>				
<b>Females</b>	188 10.5%	3,961 10.0%	875 12.6%	1,533 14.3%
<b>Males</b>	966 53.7%	17,566 44.4%	3,188 46.1%	4,694 43.6%
<b>Hispanic</b>				
<b>Females</b>	53 3.0%	1,463 3.7%	414 6.0%	585 5.4%
<b>Males</b>	265 14.7%	6,212 15.7%	1,117 16.1%	1,779 16.5%
<b>Non-Hispanic Asian</b>				
<b>Females</b>	1 0.1%	46 0.1%	13 0.2%	16 0.2%
<b>Males</b>	5 0.3%	177 0.5%	25 0.4%	35 0.3%
<b>Non-Hispanic White</b>				
<b>Females</b>	86 4.8%	2,491 6.3%	404 5.8%	600 5.6%
<b>Males</b>	235 13.1%	7,668 19.4%	886 12.8%	1,516 14.1%
<b>Total*</b>	1,799 100.0%	39,589 100.0%	6,923 100.0%	10,759 100.0%

Totals may not add to 100% due to rounding.

### Arrested Persons' Characteristics by Arrest Type

Person characteristics based on arrest type were examined. As shown in Figure A 42, non-Hispanic Black individuals (blue bars) made up most arrest types. Specifically, non-Hispanic Black individuals comprised 50.9 percent of city ordinance arrests, 61.8 percent of non-warrant felony arrests, 49.7 percent of non-warrant misdemeanor arrests, 43.5 percent of notice to appear arrests, and 63.1 percent of warrant arrests. City ordinance arrests or arrests of non-Hispanic Asian/Pacific Islander or American/Alaska Native or Non-Hispanic other individuals were excluded in Figure A 42 because these groups represent a small share of all arrested persons.

Figure A 42 Arrested race-ethnicity by arrest type, 2015-2019 (N=58,787)

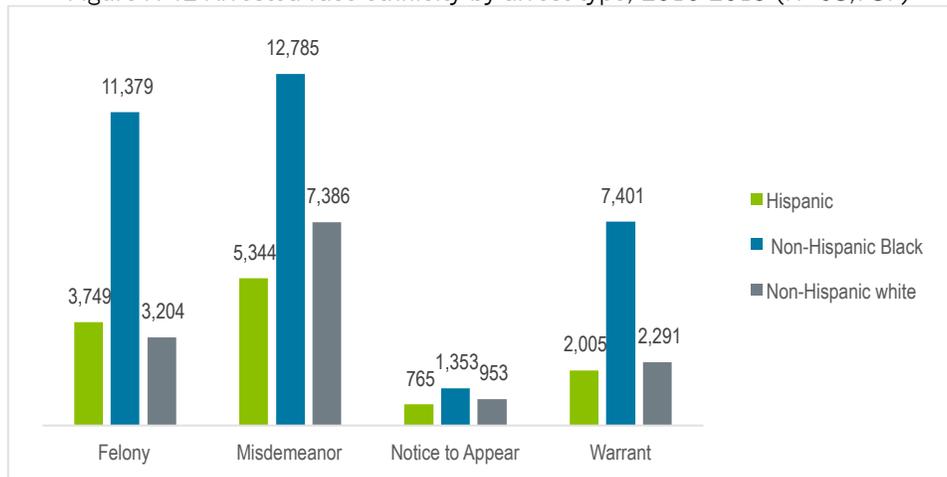


Table A 13 shows the race and ethnicity of arrested people by arrest type; this is the same data displayed in Figure A 42.

Table A 13 Race-ethnicity of arrested people by arrest type, 2015-2019 (N=59,106)

Race-ethnicity	City Ordinance	Felony	Misdemeanor	Notice to Appear	Warrant
<b>Non-Hispanic Black</b>	88 50.9%	11,379 61.8%	12,785 49.7%	1,353 43.5%	7,401 63.1%
<b>Non-Hispanic White</b>	57 33.0%	3,204 17.4%	7,386 28.7%	953 30.7%	2,291 19.5%
<b>Asian/PI/AI/AN</b>	1 0.6%	67 0.4%	189 0.7%	29 0.9%	33 0.3%
<b>Hispanic</b>	27 15.6%	3,749 20.4%	5,344 20.8%	765 24.61%	2,005 17.1%
<b>Total</b>	173 100%	18,413 100%	25,718 100%	3,108 100%	11,736 100%

We considered significant differences in race-ethnicity for each arrest type. Table A 14 shows the difference in the proportion of arrested people for each arrest type for each pairwise combination of race-ethnic group. For example, when you subtract the proportion of City Ordinance arrestees who were Black from the proportion who were white, the difference is 17.9%. This difference is statistically significant, as indicated by the asterisk next to the difference. Given the large sample size, it is not surprising there are significant differences in nearly every pairwise combination. Larger samples allow for the identification of significant differences with more precision and reliability than do smaller samples. In general, large sample sizes are beneficial for measuring differences because analysts are confident that even small but significant differences will be detected, and that the standard error in their measurement is minimal. However, what is statistically significant is not always conceptually significant in a real world setting.

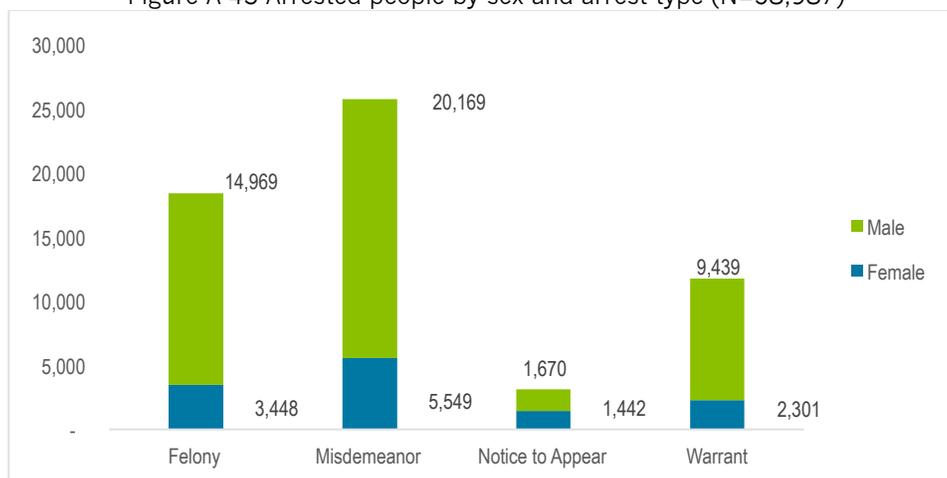
For example, Table A 14 below shows that there is a statistically significant difference in warrant arrests for white and Hispanic individuals. However, when looking at the magnitude of the difference, they show that there is only a 2.4% difference, which conceptually is not meaningful. We recommend, therefore, focusing on statistically significant differences that also have a high magnitude; this combination of statistical significance with a large magnitude of difference is a good indicator of conceptually significant findings. There is no universally accepted cutoff for what magnitude is considered conceptually significant; some say any statistically significant should be addressed, even for differences of the smallest magnitude. Table A 14 reports all significant differences. All significant differences with a magnitude greater than 40.0 percent are for comparisons between non-Hispanic black individuals, with non-Hispanic Black individuals being more likely to be arrested relative to other racial-ethnic groups. For example, when looking at felony and warrant arrests, the proportion of arrested individuals who are non-Hispanic Black is roughly 40-60 percent higher than for all other racial-ethnic groups.

Table A 14 Significant differences in proportion of persons belonging to each race-ethnic group by arrest type, 2015-2019 (N=59,106)

Difference in proportion	City Ordinance	Felony	Misdemeanor	Notice to Appear	Warrant
<b>Black-White</b>	17.9%*	44.4%*	21.0%*	12.9%*	43.5%*
<b>Black-Hispanic</b>	35.3%*	41.44%*	28.9%*	18.9%*	46.0%*
<b>Black-Asian</b>	N/A	61.4%*	49.0%*	42.6%*	62.8%*
<b>White-Hispanic</b>	17.34%	-3.0%*	7.9%*	6.1%*	2.4%*
<b>White-Asian</b>	N/A	17.0%*	28.0%*	29.7%*	19.2%*
<b>Hispanic-Asian</b>	N/a	20.0%*	20.1%*	23.7%*	16.8%*
<b>*Difference is significant at p&lt;. 05</b>					

Figure A 43 below shows the number of arrested people by sex and arrest type.

Figure A 43 Arrested people by sex and arrest type (N=58,987)



Race-ethnicity and sex combinations by arrest type are shown in Table A 15. Non-Hispanic Black males comprise the largest share of all arrested people across arrest types.

Table A 15 Race-ethnicity and sex of arrested people by arrest type, 2015-2019) n=59,106

	Felony	Misdemeanor	Notice to Appear	Warrant	City Ordinance
<b>Non-Hispanic Black</b>					
<b>Females</b>	1,935	2,653	542	1,429	11
	10.5%	10.3%	17.4%	12.2%	6.4%
<b>Males</b>	9,443	10,130	811	5,972	77
	51.3%	39.4%	26.1%	50.9%	44.5%
<b>Hispanic</b>					
<b>Females</b>	676	1,150	384	29	5
	3.7%	4.5%	12.4%	2.5%	2.9%
<b>Males</b>	3,073	4,193	380	1,708	22
	16.7%	16.3%	12.2%	14.6%	12.7%
<b>Non-Hispanic Asian</b>					
<b>Females</b>	17	33	19	7	0
	0.1%	0.1%	0.6%	0.1%	0.0%
<b>Males</b>	50	156	10	26	1
	0.3%	0.6%	0.3%	0.2%	0.6%
<b>Non-Hispanic White</b>					
<b>Females</b>	818	1,709	490	565	2
	4.4%	6.6%	15.8%	4.8%	1.2%
<b>Males</b>	2,385	5,676	463	1,726	55
	13.0%	22.1%	14.9%	14.7%	31.8%
<b>Total*</b>	18,413	25,718	3,108	11,736	173
	100%	100%	100%	100%	100%
<b>Totals may not add to 100% due to rounding.</b>					

There is evidence of racial bias in OPD's arrest practices.

OPD arrests non-Hispanic Black individuals at a rate higher than their representation in the population and all other groups at a rate lower than their representation in the population. OPD arrests non-Hispanic Black individuals at a rate that is 31.3 percent higher than their representation in the population. Comparing police contact with the residential census is often described as the least reliable type of benchmark for assessing racial bias,<sup>69</sup> however, it is the only type of benchmark that can be made with the arrest data available. A simple comparison of those arrested and the census population is not perfect because it does not account for differential contact with police (as may be the case if police are disproportionately present in majority Black neighborhoods), or differential rates of participation in crime. Existing research finds evidence of over policing of predominantly Black neighborhoods.<sup>70</sup> Further, self-report data find that Black individuals engage in less crime than other racial ethnic groups, in contrast to what would be inferred looking at only official arrest statistics.<sup>71</sup> It is important to consider self-report measures because official policing data will reflect biases in policing practices. With these two considerations in mind-- that there is likely over policing of Black neighborhoods, and that Black individuals are no more likely (and possibly less likely) to engage in crime than other racial groups-- the estimates provided in this report may underestimate actual disparities in arrests.

- ◀ **OPD should examine why non-Hispanic Black individuals make up such a large share of those arrested.**
- ◀ **OPD should collect information related to the charges associated with each arrest to allow for analysis of charges based on degree of discretion by the race and sex of arrested people.**

OPD's arrest data is limited to information related to the occurred incident type, arrest type, and race, ethnicity, and sex.

It is impossible to assess comprehensively potential racial bias in policing practices based on the person's race-ethnicity alone. Factors such as age, the socioeconomic conditions of the neighborhood where the arrest takes place, and time of day are also important to assess in this type of analysis. Further, internal benchmarking, which examines racial bias among individual officers, is impossible in the absence of officer-level characteristics, or at a minimum, an identifier for individual officers.

- ◀ **OPD should record and collect data that will allow for more robust and accurate benchmarking to assess possible racial bias**

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<sup>69</sup> [https://www.rand.org/pubs/technical\\_reports/TR534.html](https://www.rand.org/pubs/technical_reports/TR534.html)

<sup>70</sup> For example: <http://www.stat.columbia.edu/~gelman/research/published/frisk9.pdf> ; <https://www.hrw.org/news/2019/09/12/interview-how-policing-one-us-city-hurts-black-and-poor-communities>; Brunson, R. K., & Miller, J. (2006). Young black men and urban policing in the United States. *British journal of criminology*, 46(4), 613-640.

<sup>71</sup> For example: Maxfield MG, Luntz Weiler B, Spatz Widom C. Comparing self-reports and official records of arrests. *Journal of Quantitative Criminology*. 2000; 16(1): 87-110.; Thornberry TP, Krohn MD. Comparison of self-report and official data for measuring crime. In: Pepper J, Petrie C, editors. *Measurement problems in criminal justice research: Workshop summary*. Washington, DC: National Academies Press; 2003.

## FIELD INVESTIGATIONS

Field investigations, from an operational standpoint, cross several areas of OPD policy. OPD does not have a specific policy outlining field investigations. The department has field investigation reports that document traffic or subject stops. This section provides information about relevant variables reported in the field investigation (FI) data. Information is provided for investigation-level variables and then person-level variables. The sample is limited to the 11,016 unique field investigations that took place in person over a six-year period between January 2015 and November 2020, excluding 30 field investigations that did not take place in person from our analysis. The most recent field investigation in our data is from November 27, 2020.

Field investigations have declined over time, though the reasons for these declines are not apparent from quantitative data analysis alone.

A substantial percentage of field investigations are coded with “other” as the reason for the field investigation. The use of an “other” field limits the usefulness of data. The OPD can reevaluate the available options in the reason dropdown and add additional elements to reduce the use of the other field.

OPD does not collect ethnicity data for FIs, hampering a complete analysis of racial and ethnic disparities in this element of OPD’s community interactions.

### Investigation Characteristics

The OPD conducted 11,016 unique FIs with 14,186 people. As shown in Figure A 44, there were a declining number of investigations each year, with 2,742 in 2015 and 1,562 in 2019. There were 1,019 cases in 2020 as of November 27, 2020, the most recent day of available data. Law enforcement activity can vary over time based on numerous factors, including staffing and resources, agency priorities and policies, officers’ tendency towards proactive activity, crime rates, and more. This continuing decline in FIs will be considered in the ongoing police operations assessment.

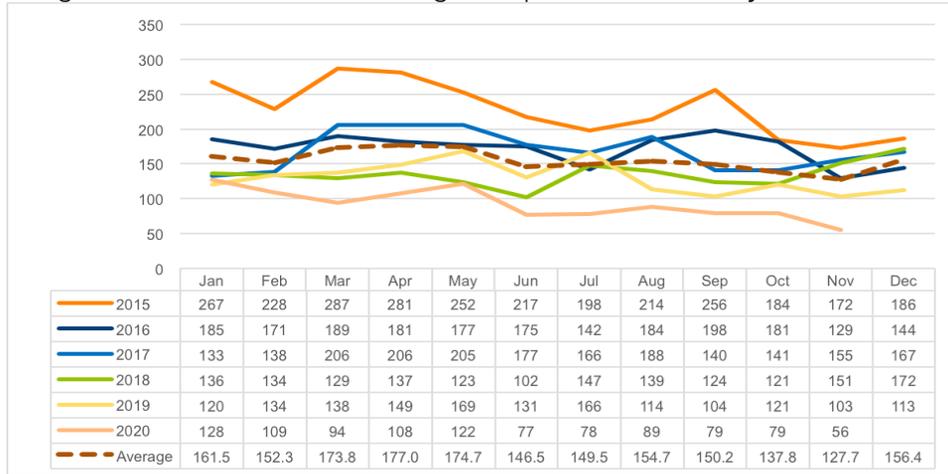
Figure A 44 Number of field investigations per year, 2015-2020



## Month of the Field Investigation

Monthly fluctuations in FIs each year is shown in Figure A 45. There are no stark trends in FIs by month, noted in the figure, but the dotted burgundy line, which depicts the average across all years, shows a trend of a slight increase from the months March-May.

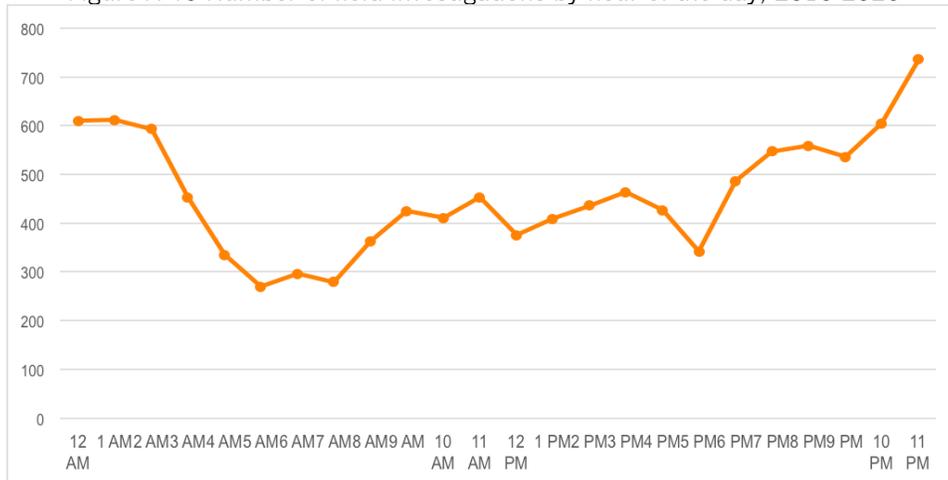
Figure A 45 Number of field investigations per month for each year 2015-2020



## Time of Day of Field Investigation

Below, we consider the time of day that investigations take place. As shown in Figure A 46, there are elevated numbers of FIs between 7 p.m. and 2 a.m.

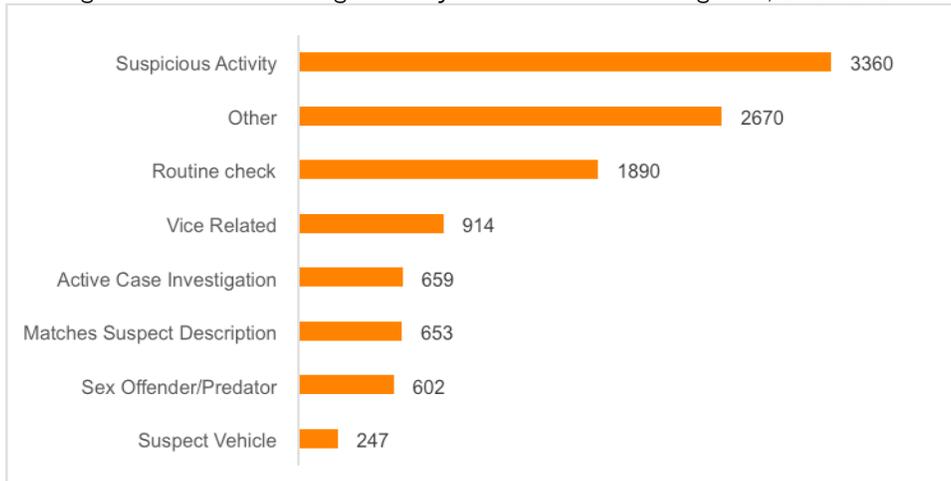
Figure A 46 Number of field investigations by hour of the day, 2015-2020



## Reason for the Field Investigation

Officers code the primary reason the FI took place. As shown in Figure A 47, there are 10,986 FIs with non-missing data for the reason for the FI (21 cases are missing data for investigation reason because the officer did not note any reason). The most common reason for FIs across all years was “Suspicious Activity” which represented 30.6 percent of all investigations, followed by “Other” which accounted for nearly one-quarter (24.3 percent) of investigations, and “Routine Checks” which included juvenile checks, loitering, and stop and field investigation request and accounted for just under one in five cases. OPD provided information for a small sample of FIs with “other” listed as the reason, these included such things as bicycle stops, panhandling enforcement, suspicious persons, and individuals matching suspect descriptions, and some interactions in which the narrative was too brief to discern a specific reason. The remaining reasons for FIs each accounted for less than ten percent of overall investigations.

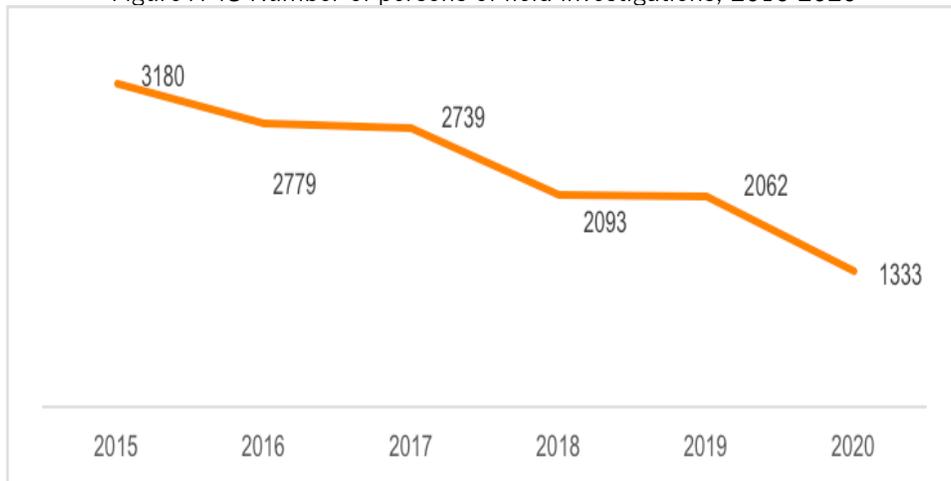
Figure A 47 Field investigations by reason for the investigation, 2015-2020



### Person Characteristics

There were 14,186 persons of FIs between 2015 and 2020. One FI can involve multiple people. As shown in Figure A 48, the number of persons declined each year, parallel to trends in the number of investigations per year.

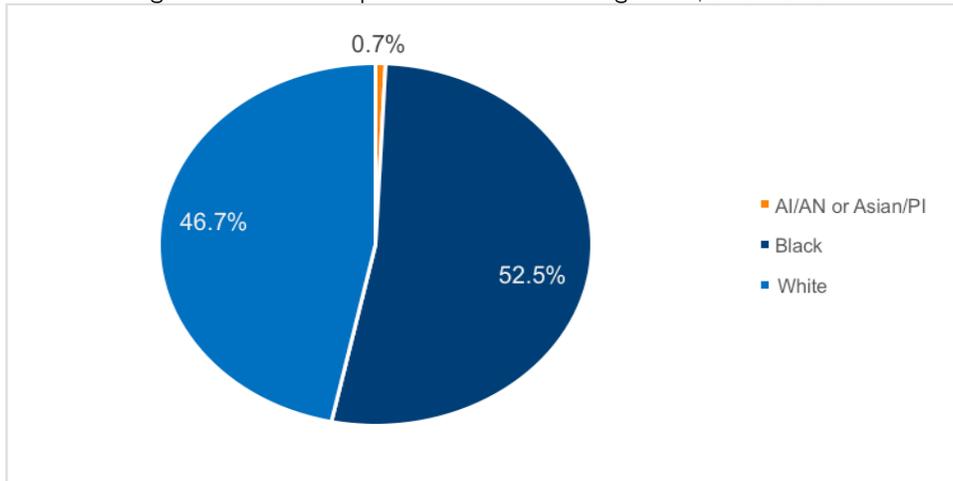
Figure A 48 Number of persons of field investigations, 2015-2020



### Field Investigation Person Race

Person race for the 14,019 cases where race data was available were utilized. The FI data do not contain a variable for Hispanic ethnicity. The OPD noted that officers likely coded individuals of Hispanic descent as white or unknown. Officers coded race based on their personal perception or using the race listed on the provided identity card (e.g., driver's license) As shown in Figure A 49, the majority of persons of FIs across all years were Black (52.5 percent), followed by white (46.7 percent), and then Asian/Pacific Islander or American Indian/Alaska Native (0.8 percent). This pattern is similar for each year, except 2018 in which 51.3 percent of people were white and 48.1 percent were Black.

Figure A 49 Race of persons of field investigations, 2015-2020



When interpreting differences by race in the rest of this section, the following considerations should be noted related to how a lack of data on Hispanic ethnicity affects findings. Consider the following two (non-exhaustive) scenarios:

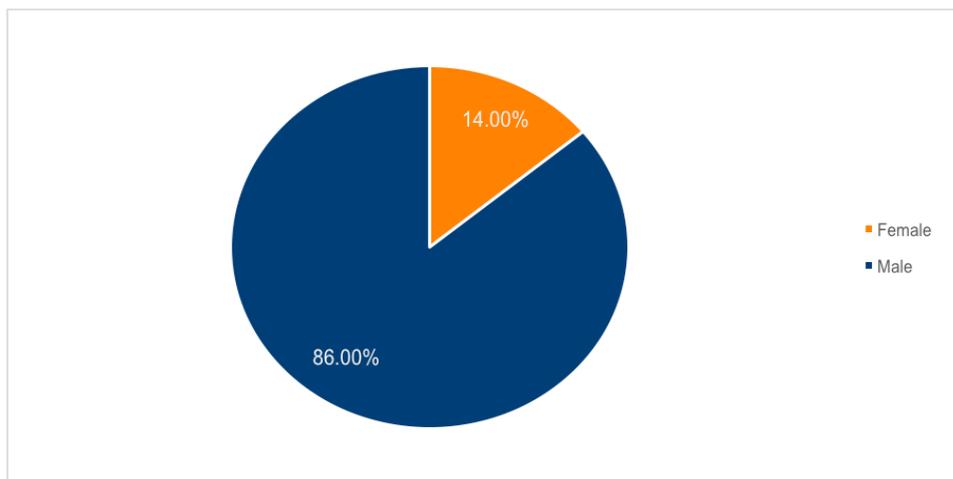
- Scenario 1: Black individuals are more likely to be investigated than Hispanic individuals are, and Hispanic individuals are more likely to be investigated than white individuals are. In this scenario, the data show more similarity between Black and whites than exists, or it underestimates racial disparities.
- Scenario 2: Black individuals are more likely to be investigated than Hispanic individuals, who are less likely to be investigated than white individuals are. In this scenario, the data show less similarity between black and white individuals than exists, or it overestimates racial disparities.

Without knowledge about what proportion of white, Black, and other race groups are Hispanic, the team cannot make precise conclusions about the presence of racial disparities in field investigations.

### Field Investigation Person Sex

Information about FI biological sex was available for 14,121 people. As shown in Figure A 50, most (86.0 percent) were male. This pattern is consistent for each year.

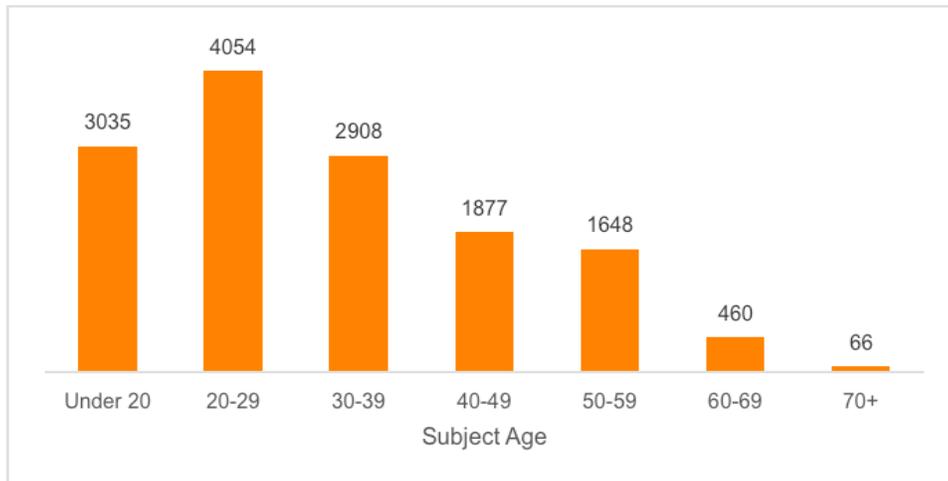
Figure A 50 Sex of field investigation persons, 2015-2020



## Field Investigation Person Age

Age data was available for 14,048 people. The average age across all FIs is 32.3 years. As shown in Figure A 51, 20-29 year olds represent the largest age group of field investigation, with 4,054 people (28.9 percent).

Figure A 51 Age of persons of field investigations, 2015-2020



The average age and number of people that fit into the following race-sex combination are included: Black males, Black females, white males, white females, Asian or American Indian/Alaska Native (AI/AN) males, and Asian or AI/AN females. There were 14,015 individuals with non-missing data for race and sex. As shown in Table A 16, Black males represent the highest proportion of all (46.0 percent), followed by white males (39.4 percent). Recall that OPD does not capture ethnicity data (Hispanic/Latinx) for FIs. Black females and white females each represent 6.5 percent. Also shown in Table A 16, Black male and female persons are younger, on average, than other races. This difference is statistically significant for all pairwise combinations; in other words, any pair of two categories (e.g., Black males compared to white males or Black males compared to AI/AN females) is statistically significantly different from each other.

Table A 16 Number, proportion, and average age of people by race and sex

	Black Males	Black Females	White Males	White Females	AI/AN Males	AI/AN Females	Total
<b>Proportion of total persons</b>	46.0%	6.5%	39.4%	7.4%	0.7%	0.1%	100%*
<b>Number of persons</b>	6,450	910	5,509	1,041	92	13	14,015
<b>Average Age (years)</b>	30.1 <sup>a, c, d</sup>	28.8 <sup>b, c, d</sup>	35.4 <sup>a, b, c</sup>	32.9 <sup>a, b, d</sup>	32.3	37.1	32.3

\*Totals do not add to 100% because of rounding

a: significantly different compared to black males

b: significantly different compared to black females

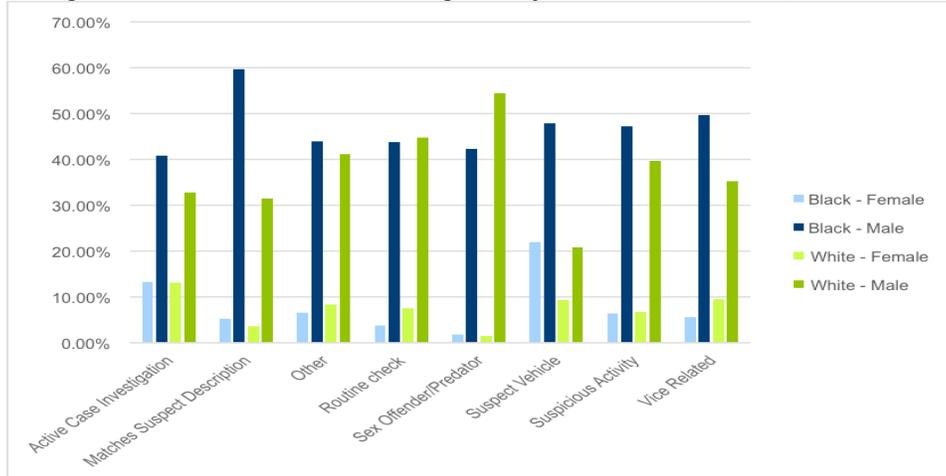
c: significantly different compared to white females

d: significantly different compared to white males

## Person and Investigation Characteristics

We looked at the reason for the FI for 14,015 people with non-missing race and sex data between 2015-2020. As shown in Figure A 52, Black males account for the greatest share of FIs for most reasons. One exception is that white males account for the greatest share of investigations for sex offenders/predators and white and Black males account for a roughly even share of investigations for routine checks. Asian/PI and AI/AN are excluded from the figure because they account for less than one percent overall.

Figure A 52 Reason for field investigation by Person race and sex, 2015-2020



As shown in Table A 17, there are significant differences between nearly all race-sex pairwise combinations involving Black and whites.

Table A 17 Differences in Person race by investigation reason

	White	Black	Asian	White v. Black	White v. Asian	Black v. Asian
Active Case Investigation	45.9%	53.9%	0.2%	-8.0%*	45.7%	53.7%
Matches Suspect Description	34.9%	64.6%	0.6%	-29.7%*	34.3%	64.0%*
Other	48.9%	50.0%	1.2%	-1.1%	47.7%*	48.8%*
Routine check	52.2%	47.3%	0.5%	4.9%*	51.7%*	46.8%*
Sex Offender/Predator	55.6%	43.9%	0.5%	11.7%*	55.1%	43.4%
Suspect Vehicle	30.0%	69.5%	0.5%	-39.5%*	29.5%	69.0%*
Suspicious Activity	45.9%	53.2%	0.9%	-7.3%*	45.0%*	52.3%*
Vice Related	44.6%	55.1%	0.2%	-10.5%*	44.4%	54.9%

\* Indicates significant difference for at least  $p < .05$

Finally, the average age by investigation reason for race and sex combinations is shown in Table A 18. Across most investigation reasons, Blacks are younger, on average, than with other races. For example, for the most common investigation reason, “matches suspect description” black males are the youngest age group, on average, at 26.7 years relative to Asian females who are the oldest, with an average age of 42.0 years.

Table A 18 Average person age by race, sex, and investigation reason

	AI/AN or Asian/PI		Black		White	
	Female	Male	Female	Male	Female	Male
Active Case Investigation	--	46.5	27.5	27.6	33.4	30.8
Matches Suspect Description	35.0	33.0	25.9	24.6	32.0	32.4
Other	32.2	31.2	30.8	32.6	33.9	37.1
Routine check	70.0	32.9	37.3	32.9	37.0	39.2
Sex Offender/Predator	--	37.7	38.6	42.8	40.3	46.5
Suspect Vehicle	--	41.0	24.6	26.7	29.7	30.3
Suspicious Activity	34.3	31.1	27.0	28.8	32.2	33.2
Vice Related	42.0	38.0	27.9	26.7	26.9	28.3

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## Many officers code the reason for their field investigations “other.”

Nearly one-quarter (24.3 percent) of field investigations are coded with the reason “other.” Coding incidents as “other” makes it difficult to analyze and understand law enforcement operations. Documenting the reason for field all investigations can allow OPD to understand whether disparities by race are present in investigations.

- ◀ **OPD should create a mandatory write in field that officers must complete when they select “Other” selected.**
- ◀ **OPD can analyze data from the write in options to add more fields to the reason data element as appropriate**

The OPD categorizes race as white, Black, Asian/Pacific Islander, or American Indian/Alaska Native. The US Census estimates that in 2019 one-third (32.6 percent) of the population of Orlando was Hispanic.<sup>72</sup> Further, research finds that Hispanic individuals are more likely to have contact with the criminal justice than would be expected based on their overall contribution to the population.<sup>73</sup> It is critical to know what proportion of respondents is Hispanic to accurately assess potential racial disparities in field investigations. OPD should create a Hispanic ethnicity field and instruct officers that completing this field is mandatory.

## VI. ALTERNATIVE RESPONSE PROGRAM APPENDIX

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### ASSESSMENT BACKGROUND DETAILS

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#### Site visit ride alongs

Both officers were highly professional, and open in their discussion about what is working well and not so well with their CIT and Alternative Response pilot. The patrol officer showed the auditor on the vehicle PDT how she completes a FIR and emails it to the Mental Health Response team, how it shows in the PDT when the MHRT is in service, and how to clear the call with the MHR or MHRFU (Follow up) code.

The patrol officer indicated she was the only officer on the shift that is CIT trained, and is often on another call when a CIT request comes out over the air. The experience of not having CIT acknowledged as a specialized response and treated as such is a barrier in the department. The Sergeant was well versed in CIT and is also trained as a Crisis Negotiator. The Sergeant was highly professional and empathetic during his response to several calls for service.

The alternative response team, though very new, was praised by both officers as a good step. There was a card in the patrol car that outlined the codes to be used under the new pilot. The officer believes only CIT officers were given the card, and not the entire department, which was confirmed by OPD, with the explanation they would like to work more of the kinks out before it is shared with the whole department. Now that the pilot is four months in, this card should be shared with all officers, with training on the role of the MHRT and when to use them. The officer indicated that there was an assumption in the department that officers would just call them to the scene but were later informed that the team is utilized more in the capacity of follow up on calls and dispatched without law enforcement to specific CFS. Improved, and targeted communication throughout the department relating to all aspects of CIT and the Alternative Response Pilot would be valuable and welcomed by the employees.

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<sup>72</sup> <https://www.census.gov/quickfacts/orlandocityflorida>

<sup>73</sup> [https://www.pewresearch.org/hispanic/2009/04/07/hispanics-and-the-criminal-justice-system/#:~:text=In%20recent%20decades%2C%20Hispanics'%20exposure,West%20and%20SaboI%2C%202009\).](https://www.pewresearch.org/hispanic/2009/04/07/hispanics-and-the-criminal-justice-system/#:~:text=In%20recent%20decades%2C%20Hispanics'%20exposure,West%20and%20SaboI%2C%202009).)

The auditors asked during the site visit for a data update on the new Alternative Response Pilot that Aspire is contracted for, and the Aspire supervisor responded this information may not be shared. This was an unexpected and concerning response that they would not be forthcoming with progress or any glitches they might be experiencing in this pilot program, particularly because this evaluation is part of the project scope of this contract. In late May, the auditors requested a zoom meeting to get an update on the data, which was scheduled and completed. To date, the city, OPD and Aspire report overall positive outcomes. The auditors requested the data recently used in an update to the Mayor's office be sent to us for review, which we have not yet received. In our verbal conversation, it was reported:

- There is strong interest in expansion--they would like to move from 2 to 5 teams. They have lost one of their three positions to turnover in these first few months of the pilot but are in the process of onboarding a new one.
- OPD reported emergency communication call outs have been declining while follow ups have been increasing—dropping from an estimated 60/40%, to about 50/50%. This is not unusual and will be important to monitor to continue to autocorrect resources. Since the pilot started, there have been 227 MHRT responses with 50 of them ending in Baker Acts. There have been zero arrests, which is commendable.
- 25% of the two call codes presently being utilized (non-violent mentally ill and suicidal) are being responded to by the MHRT. OPD should work hard to have the other 75% responded to by CIT officers (after a more robust CIT program is put in place).
- MHRT is informally responding to other call codes when deemed appropriate, but right now the 2 codes utilized is what OPD feels comfortable with.

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## ALTERNATIVE RESPONSE RECOMMENDATIONS FOR CONSIDERATION

While these auditors were contracted after most of this work had already been completed, and the program ready to launch, we do have recommendations based on what we have learned through our extensive community conversations within and outside of OPD. Some of these recommendations apply to areas that have already been accomplished but can still be considered for future expansions.

- ◀ The job description, selection and hiring of the co-responder/alternative response positions should be carefully and thoughtfully considered and should be co-developed and co-interviewed between OPD and Aspire. It is imperative that both organizations agree that the person(s) is a good match for the role.
- ◀ The Sheriff's Office launched a traditional co-responder model (clinician riding with a deputy) in January 2021. The consultation and collaboration between OPD and the Sheriff's Office appear to be quite minimal, which is unfortunate. This would be a good opportunity to share data, consider ways to have the two programs complement one another, and another place that a strong advisory committee could have played an important critical role early on. Now that the new mental health consortium has launched, and both OPD and the Sheriff's office are participating, this collaboration should be prioritized. Since the Orange County Sheriff's Office patrols unincorporated parts of the county and OPD patrols city limits, there will be times that there is overlap in the pilot programs. For example, if a call originates in an unincorporated area and the Sheriff's co-responder team responds, but the person involved actually lives within city limits --requiring follow up care. Clear protocol and collaboration between the two programs create a non-siloed environment that best serves everyone.
- ◀ Establish clear criteria for telecommunications to identify the call for MCRT response, and ensure there is regular, robust, ongoing training for telecommunications. See previous recommendation re: call code designation and triage questions. A coordinated effort between the CIT coordinator and telecommunications to cross train on CIT efforts should also be encouraged. Both need to have thorough awareness of the program, and why it is critically important to have a streamlined approach.
- ◀ Through the MOU, the city has asked for response by clinicians in under 60 minutes, covering the entire city. This can be a significant period of time for response to people who are in crisis, and the effectiveness of this should be closely monitored. Additionally, program expansion could support a clinical team in each district, or teams assigned to each half of the city.

- ◀ Consider a model of embedding a citizen facing clinician inside telecommunications to assist with non-critical calls.
- ◀ As indicated previously, the percentage of Baker Acts in Orlando appear to be significantly higher than other communities. It was reported that up to 50% of calls with a mental health component end in Baker Act. CIT and Alternative police response programs have a purpose of de-escalating and referring to community-based services whenever possible. It would be important to measure and monitor outcome data regarding this. Often, weak follow up and warm hand off to community-based services for people in crisis is a contributor to this. The auditors recommend considering a justice involved case management team focused on warm handoffs out of hospitals who accept Baker Act's, ED's and jails and back into community-based treatment. Ongoing proactive outreach for high frequency utilizers ensuring people get to medication appointments, court hearings etc. is crucial to reducing the revolving door of crisis.
- ◀ Aspire indicated it hired all MHRT clinicians externally (not current Aspire clinicians) to perform this pilot role. It is a steep learning curve just to learn the services, agency protocols, and accessibility guidelines within the organization you work for, let alone attempt to do it as a part of a new pilot program that needs to be successful early on. If officers see that clinicians do not know where to take someone, what paperwork will need to be completed to access those services, who to call in the organization etc., officers will often give up on the use of it. This is difficult to rebound from, as a result. Typically, seasoned clinicians are hired internally, who already have strong familiarity with the organization operations. OPD and Aspire will want to assess this for future positions and/or turnover.
- ◀ The telecommunicators "call handling guide" is a paper guide used as a reference for call takers. It would be recommended that this be digitized, particularly as it relates to data that can be digitally tracked, prompted on screen, and audited.
- ◀ Telecommunications will be sending a previously generated report with limited information from the responding officer who requests follow up from the alternative response team. It will be important for OPD and Aspire to monitor if the information contained in these auto-generated reports is sufficient for Aspire to know important details about why the call was made, what occurred on the call, what the presenting issues were, and if there were any safety issues encountered on the original call. It was recently reported that perhaps the FIR would be taking the place of this system, regardless, ensuring the FIR is actually completed, or that another system is in place that reduces error on this is important.
- ◀ As not only a part of this pilot program, but also a part of the overall CIT strategy, efforts should be made to track arrest data. Arrests for non-violent misdemeanors and city ordinance violations are easy diversion opportunities. People living with mental health conditions often have exacerbated trauma when put in a detention center environment (where they are more likely to be victimized), continuity of necessary medications is often interrupted, and upon release, are often not re-connected with their treatment team in a timely manner. In addition, fines and court dates are issued, and for people living with mental health conditions, these are often barriers that then escalate to a point where "pick up orders" are issued, and the cycle continues.
- ◀ A clear line of supervisory chain of command in the pilot program is essential for the clinicians.
- ◀ Consideration should be given to where clinicians are housed, within OPD or Aspire. Often, housing clinicians inside Police Headquarters, or at police district offices allows rapport to be built with officers and allows an ongoing opportunity to promote the program to officers.
- ◀ A data analyst should be considered, either internal, or externally contracted- typically with a local University.

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## PILOT PROGRAM

In January 2021, the Orange County Sheriff's Office started a traditional Co-Responder pilot program, and presently has two teams, (two deputies and two clinicians). The deputies are funded by the Sheriff's office and the clinicians are funded by the County Health Department, through the assistance of forfeiture funds. They wear "soft uniforms", identifying clinician and Sheriff on the back of their polo shirts. They ride in unmarked vehicles, and when a transport occurs, the clinician rides in the back with the client, with a safety partition between the back seats and front sections of the vehicle. Handcuffs are optional, at the team's discretion. They have proposed expansion of this program and have requested a corporal, deputy, data analyst and two clinicians be added beginning in June/July 2021.

Devereaux (a non-profit organization focused primarily on services to persons 0-25 in need of mental health treatment) is their clinical partner in their co-responder model. Their clinicians on this team serve all ages. They can access their own client charts, but not the treatment record of adults who are in services with Aspire. This presents challenges with continuity of care, and efforts should be made between Aspire and Devereaux to address this concern.

In addition to this co-responder partnership with the Sheriff's Office, Devereaux also has their own Mental Health Response (MHR) team for ages 0-25 (largely reporting to calls by schools). The disconnect between Devereaux, Aspire, Sheriff's office and OPD presents a significant silo challenge that needs to be addressed.

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## ADDITIONAL ALTERNATIVE RESPONSE AND SYSTEM INTEGRATION MODELS TO CONSIDER.

There are strong political ties throughout high-level elected officials and appointed positions in Orlando. This has caused conflicts of interest resulting in turf battles and silos and is an issue that will be difficult to address, unfortunately often resulting in broken/flawed systems that could otherwise thrive.

It is reported that the Orange County Mayor is committed to funding up to 46 million for a robust Behavioral Health system to address gaps that the Orange County Mental Health Division has helped to identify. If this occurs, this would be a significant opportunity for robust program expansion. Opportunities for expansion could include:

- ◀ Embedding community mental health center case manager(s) inside the jail to crosscheck the daily jail booking report with the client database at the community mental health center. This allows for identification of active clients who are booked into the jail, for what crimes, how long they are in jail and at what cost to the city. These basic data points help inform areas for diversion, rapid communication with jail mental health staff regarding medications the individual is on for continuity of care inside the jail, assists with coordinating a warm handoff at release from the jail with either a family member or their assigned case manager, and identifies high frequency utilizers to connect with justice involved case management teams for proactive outreach.
- ◀ These same case managers can also be assigned to the mental health dockets for continuity between judges, attorney's, and other case managers.
- ◀ Develop justice involved case management teams who have the role of serving the high frequency utilizers of law enforcement calls and jail bookings.
- ◀ Consider embedding a clinician inside telecommunications (citizen facing) to divert from Law Enforcement response at all, while also utilizing a warm hand off as necessary to a resource line often provided by organizations like NAMI.
- ◀ Consider paramedic, clinician, soft uniform CIT officer and PEER dedicated co-response teams. These teams often present opportunities to move away from law enforcement focused response and law enforcement transport (criminalizing mental health conditions), and toward a medical response (mental health conditions are brain disorders) providing an unmarked van with locked seat belt restraints instead of handcuffs and a marked police vehicle.

SAMHSA's Sequential Intercept Mapping (SIM), and the Sequential Intercept Model are good resources and training for communities to help identify gaps in the community.

### ASSESSMENT BACKGROUND DETAILS

The following Orlando Police Department Policies & Procedures were reviewed

- 1501.1 Crisis Intervention Team (Enacted 12/5/18)
- 2202.4 Employee Assistance Program (Enacted 8/20/14)
- 1508.0 Special Victims' Response Team (Enacted 3/29/16)
- 1127.6 Trespass Warnings and Trespass Warning Authorization Forms (Enacted 5/27/20)
- 1102.7 Bias-Free Policing (Enacted 10/10/19)
- 1126.1 Transient and Homeless Citizens (Enacted 3/2/06)
- 1208.1 Substance Abuse Services (Enacted 12/5/18)
- 1114.11 Mental Health Cases (Baker Act) (Enacted 11/3/20)
- 1114.10 Mental Health Cases (Baker Act) (Enacted 6/12/19)
- 1108.4 Interacting With Individuals With Disabilities (Enacted 7/5/18)
- 1131.7 Victim Assistance and Notification (Enacted 1/8/18)
- 1502.0 Critical Incident Stress Management (Enacted 6/15/04)
- 2207.3 Early Intervention Program (Enacted 9/10/15)

In addition, review included:

- The 2019-2024 OPD Strategic Plan
- Five Year Officer Assistance Strategic Plan
- Sworn Recruit Orientation Training Schedule

During and after this initial policy and training document review, the following organizations (and corresponding individuals) were interviewed re: CIT, Alternative Response Pilot, Officer Wellness and Support and EAP as part of our holistic assessment:

- Orlando Police Department and the City of Orlando, Aspire Community Mental Health Center, Sheriff's Office, National Association of Mental Illness (NAMI), Devereaux, Central Florida University Restores Program, Valencia Community College Florida Law Enforcement Training Partner; Embrace Families; Telecommunications, FDLE
- OPD Personnel

Representatives related to:

- Professional Standards Bureau
- Training and Recruitment Section
- Field Training Unit
- In-Service Training Unit
- Valencia College Training Center
- CIT and Alternative Response Pilot
- Officer Wellness Strategic Plan
- Mental Health First Aid
- Orange County Sheriff's Office
- City of Orlando
- Mayor's Office
- Aspire Community Mental Health Center
- Embrace Families
- OFD
- NAMI
- FDLE
- OCFL
- Central Receiving Center LEO

And, the review included interviews and discussions with community members and city members.

## Site Visit

The auditors completed a site visit during the week of April 5-9, 2021, during a CIT training week.

## Ride Along

1 SGT, 1 Patrol Officer (both CIT trained)-Julie and MaryAnn

## Training

- Observation of CIT class-opening and scenario-based training— (Corrections), (Aspire), (Orange County Sheriff's Office), and Sheriff's Office clinician
- Observation of Mental Health and Officer Wellness training
- OPD Orientation for New Recruits

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## OPD TRAINING RELATED TO MENTAL HEALTH AND OFFICER WELLNESS (NON-CIT)

The 8-hour Mental Health and Officer Wellness training taught by OPD officer Chuck Crosby was particularly good. The trainer was strong, and the topics covered were researched and met industry standards. The instructor utilized best practice language. This class is mandated training for recruits who have finished academy training and are in OPD orientation. There is no scenario-based training, which would be a good addition. Half of the training is dedicated to officer wellness and half to Mental Health.

OPD should consider breaking it up to expand on Mental Health training, including a site visit to the three drop off centers for people in behavioral health crisis, adding scenario-based training on best practices for de-escalating and interacting with people in Behavioral Health crisis, incorporating video scenarios from across the country (readily available), and expanding on de-escalation strategies including Time, Cover, Distance, Tone, Stance, etc. These topics could easily be re-purposed from existing training content from CIT.

In addition, OPD should consider adding a virtual hallucination experience or exercise as an added experiential training component. The virtual machine can often be found through a partnership with a pharmaceutical company, or on-line and other experiential exercises can be modeled after communities who incorporate this as part of their CIT training. OPD should also consider incorporating the Alternative Response Pilot team and the CIT coordinator into the training to better integrate these programs from the beginning of an officer's time with the department. The new officer class consisted of 16 members, including three women and seven people of color.

With the current emphasis on OPD desiring all officers to be CIT trained, OPD should consider offering the 40-hour CIT course immediately after FTO, or one-two years after field training, so officers can bring with them appropriate street experience. If capacity does not allow for this, consider offering a shortened, for example 20-hour, brief CIT training covering the most important topics, with the full 40-hour training as capacity allows.

We observed that half of the overall eight hour required "Mental Health" training is allocated to officer wellness. It is particularly good training, drawing the correlation to what was just covered under the "Mental Health section" and applying the same information to officer stress and wellness. The course identifies stress symptoms and causes, describes when stress becomes a crisis, and then explains when crisis becomes a treatable mental health condition. There were tangible ways identified to address each part of this elevating cycle, along with live examples from the instructor's police experience. OPD should consider successor planning, identifying, and broadening the trainer pool.

Additional training like Fair and Impartial treatment and Verbal Judo also complements the important skills necessary for 21<sup>st</sup> century policing. The Orlando Police Department has expressed an interest in new training called Active Bystandership for Law Enforcement (ABLE). This course provides a Train-the-Trainer curriculum designed for police departments where effective active bystandership can be taught. At least one class of OPD officers has participated in ABLE training since our site visit. Communities and law enforcement agencies are recognizing that first responders must do a better job intervening, when necessary, to prevent their colleagues from causing harm or making costly mistakes. Project ABLE provides a wide array of resources to communities and law enforcement agencies interested in peer intervention programs. ABLE training is provided at no cost to the agency and in return they must commit to creating a culture of active bystandership and peer intervention through policy, training, support, and accountability.

## CIT Positives

It is commendable that OPD recognizes the value of the training and skills necessary for response to people in crisis. Mental Health First Aid (MHFA) was prioritized in 2018, with 100% of OPD trained, a solid foundational component endorsed not only by the IACP One Mind Campaign but is also a good overall educational tool to orient officers to signs and symptoms of mental health conditions, and responses that are often different from traditional police training.

CIT has had a presence in Orlando since 2014. Not uncommon, the participation by OPD in the program has ebbed and flowed depending on department leadership and turnover in OPD assignment to the program. Presently, there is support from many local law enforcement entities, including OPD and the state academy to continue to promote and strengthen CIT. Because of this support, there are several conversations presently occurring on how to offer more classes. There is conversation occurring among different law enforcement entities about moving to a mandated model, requiring at a minimum all patrol officers to be prioritized to complete the full 40-hour training. Presently, all SROs are mandated to be CIT certified, and they are nearly at 100%. Within OPD, the crisis negotiations team is also required to be certified in CIT.

In addition, the evaluations of the CIT training have been strong, with Aspire, the key community mental health partner tracking evaluations. There is a partnership with Valencia Community College who contracts with Aspire to coordinate and assist in the training. Valencia Community College provides the space for the training.

The training matrix is consistent with CIT training in other areas of the country. CIT International recommends a general training matrix of topics to be covered, including scenario-based training and a family and peer panel to share their experience living with or affected by mental health conditions.

The auditors attended the first hour of the CIT training to see how the class was opened. The opening session should set the proper tone for the week. The Chief of Corrections opened the class with a very compelling personal and professional reason why this training is so important. This was an especially important component, positively setting the tone for officer buy in. There were approximately 25 students in the class, five of which were from OPD. The remaining students were from the Sheriff's office, surrounding police departments, and the Sheriff's office co-responder clinician.

Overall, based on the training matrix, our observations are that the training is in line with national standards. However, Aspire (the local community mental health center and primary entity appointed and funded to lead CIT) is over-represented as presenters. This supports their statements that they do not have capacity to increase trainings.

Devereaux (the non-profit mental health organization serving ages 0-25), and the primary partner for the Sheriff's co-responder pilot, should be more robustly integrated into the CIT training, along with other community-based service organizations that serve specialty topics covered in CIT like Autism, Veterans, and Medications etc. This would lessen the burden on Aspire and would likely permit additional classes to be held to help meet the frequently expressed need for additional training. This is also a way to reduce silos, while leveling the playing field with active collaboration and partnership. Aligning Aspire with OPD, and the Sheriff's Office with Devereaux creates unnecessary silos that contribute to trust issues impeding success in these initiatives.

We also attended the scenario-based training portion of the class. The scenarios and role-play "actors" were particularly good. Overall, the students we observed were implementing the skills they learned during the week, with one significant exception. If we had been there longer, it would have been helpful to see how this student was evaluated, and whether there was any accountability for her doing so poorly. Based on our observations of her in a classroom setting, she could be considered a liability in interactions with citizens. The training leadership does not appear to presently "weed out" officers without proper skills, and this should be an added component.

Some of the CIT officers we interviewed during our site visit were trained in CIT many years ago, some so long ago they could not even remember the year they were trained. There has been no refresher or advanced training since, resulting in a very diluted, non-specialized model.

While the officers report they have a CIT “team”, the “team” as described is not best practice. When asked what distinguished “CIT team members” from anyone who has taken the CIT training, most were unable to answer, some saying “nothing”, and some noting “if you volunteer to be a part of the team, you have to attend at least two community events (ex: NAMI walk). However, there is no accountability to ensure this occurs. When called over the air, many who attended the 40-hour training do not self-identify as CIT. Two members of the CIT “team” reported they are the only CIT team member assigned in their district and shift, and because they are running other calls, they are often unavailable for CIT response.

There are five Sergeant CIT team leaders, and when interviewed about their role, said they have a group (around 10) of CIT “team members” that they are supposed to inform of upcoming CIT community events, or if there is something that involves CIT (like the new pilot program). Three of the five CIT Sergeants we interviewed expressed lack of awareness about any other role than that.

All OPD members we interviewed reported the CIT “team” receives no recognition, has no ongoing training, has an unclear role, and reported the department doesn’t recognize them like other “specialized units”. There is no internal promotion of the CIT program, with only a special notice that goes out to see if you want to join the “CIT team”.

One CIT member reported receiving “CIT officer of the year” and described his applaudable response to a CIT call. He reported he was given a certificate by a Lieutenant as the recognition. He was clearly proud of receiving the award and he should be. In robust CIT programs, a much higher rank (and often the Chief) would acknowledge this as part of a broader ceremony, or at minimum, some public recognition. These kinds of recognitions need to be highly elevated, demonstrating active support for the program and their officer’s utilization of these important skills.

When officers were asked about the new alternative response pilot, they responded that they need more staffing; they fill a gap in service, but were uncomfortable having them respond without patrol backup. They want to be dispatched, in an observing capacity, unless otherwise needed.

To be on the Neighborhood Patrol Unit (NPU), you must be CIT trained, however these officers are not generally dispatched to calls for service.

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## CENTRAL RECEIVING CENTER-ASPIRE

Aspire provides a 24/7/365 crisis center via their Central Receiving Center (CRC). This type of drop off crisis center is essential for law enforcement to divert from the criminal justice system, having somewhere to take individuals rather than jail and hospital emergency rooms. While there is some conflicting information the auditors received among local law enforcement about the utilization and limitations of the CRC, it is still a critical component of a successful CIT and diversion and deflection program.

The auditors toured the CRC during our site visit. The facility is presently antiquated in its appearance but does provide all the essential services for a crisis center. We observed a Sheriff’s Deputy completing a drop off, which included the data form required. The turnaround time for officers is good, allowing officers to efficiently return to duty. This is essential for a functional law enforcement drop off center. We observed a person in a four-point restraint, several individuals on mattresses in small rooms with two beds, and the medical staff and camera systems for ensuring safety. We then toured a space presently under construction for a more updated crisis receiving center. This area provides a more welcoming physical environment, with an open space, beds, showers, and privacy curtains, etc. This section is set to open in late 2021 and will be funded by the county department of mental health.

The State Hospital is three hours away. All insured individuals brought to the CRC stay at the CRC; uninsured individuals are brought to two different Aspire sites, one 15 minutes away (Kennedy location) and the other one hour away (Sanford location). They are transported via secure vans.

Officers reported to that people experiencing a Behavioral Health crisis, who are being admitted under Baker Act, often request to go to University Behavioral Health (UBH) due to the positive way they are treated and its welcoming beautiful physical environment. UBH accepts youth, adults, voluntary and Baker Acts. Officers are required to bring individuals to the nearest center that accepts Baker Acts, which is often the CRC. The CRC performs the intake and determines the level of care and location for stabilization (insured vs. uninsured).

Clients can sign out after 24 hours under Baker Act (unless the psychiatrist deems, they need to stay due to safety concerns) with a maximum stay of three days. If ongoing intensive treatment is needed, there are beds upstairs in the facility where they can be transferred. Under the Marchment Act (Substance abuse), the allowable stay is 72 hours. The maximum stay is five days. The CRC has 40 beds, primarily for Baker Acts. It is reported that homeless individuals are brought to Aspire and often released quickly, contributing to officer frustration, and ultimately utilizing jail space.

The County is working to expand the CRC for voluntary admissions, rather than Baker Acts. This is a good decision, with the caveat around the politics of other locations that accept Baker Acts. It was reported that Aspire wants to be the monopoly in services and to receive the funding to support it. The county used to have a system for rotating funds for insured beds to the area providers but resulted in the private hospitals not getting enough to make it work financially, so now Aspire largely receives insured and uninsured patients under the Baker Act.

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### Recommendations for Consideration to Strengthen the Community CIT Program, and OPD's Crucial Participation

In January of this year, University of Central Florida, UCF reached out to relevant community stakeholders involved in the justice and behavioral health programs to start a Mental Health Consortium, a multidisciplinary team to share data/information, explore alternative approaches to law enforcement response, identify gaps in service, and to deliberate on how best to respond to them, etc. The Consortium is meeting monthly and is a critical foundation to any successful community program. It is commendable that this has launched, and for the remainder of this report, the Mental Health Consortium will be the term used to describe what the auditors are referring to when recommending a community advisory steering committee.

Presently participants include:

- Behavioral Response Unit, Sheriff's Office
- Public School SRO
- Public School Police has their own police department consisting of five officers, separate from the SRO program
- Intelligence Unit
- University of Central Florida Police—who has a Chief who is exceedingly involved in these initiatives.
- Veteran's Administration VA
- Osceola County Sheriff's Office
- Kissimmee Police Department
- University Behavioral Health (UBH)
- Central Florida UCF
- Florida Law Enforcement-FDLE—who just started a Mental Health threat assessment unit-consisting of three law enforcement officers and two analysts who will work high profile cases
- Devereaux
- OPD
- Aspire

Consideration should also be given to include appropriate representatives from jails, corrections, Advocacy group(s) like NAMI, Judiciary (typically someone involved in city ordinance and minor misdemeanor violations and someone providing oversight in the mental health/Baker Act court process), telecommunications, Fire/EMS.

This newly formed, and critically important advisory committee included cross discipline collaboration, including both on the ground expertise and high enough rank/executive leadership to make and implement decisions. The advisory group should be small enough to encourage rich dialogue and data sharing, but large enough to include at least one committed designee from each key stakeholder entity.

A functional, outcome oriented advisory committee must be able to put ego's aside, with full transparency, engagement, and trust building, including shared decisions, data collection and analysis to identify gaps in the overall system, while working collectively to find solutions. With the highly political nature in Orlando, this will likely be a challenge, and must be overcome.

Many states and communities have both a County and State Steering Committee, with the county steering committee made up of entities like those listed above, and a state steering committee made up of a designee from each participating county across the state. This should be given priority consideration, in addition to a funded CIT coordinator position that spans the county (this can often be achieved by pooled resources and hired not through one specific law enforcement organization—which can cause territorial issues).

There is a Criminal Justice Coordinating Council (CJCC) that is made-up of executive leadership, at a higher level than the new Mental Health Consortium. The Mental Health Consortium is what would be typically identified and prioritized for local “on the ground” data sharing and system building in the Justice and Behavioral Health program continuum. It is unclear what the exact role of the CJCC is but appears to be high enough that it would be disconnected from “on the ground” program coordination (what is working, not working, where the gaps are, how to best address them etc.). The CJCC may be better suited to advocate for funding, legislative changes, etc. Grants by multiple entities have been submitted for a county CIT coordinator. The addition of this role, if thoughtfully allocated, would be beneficial.

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### CIT Policy Recommendations for consideration

The CIT related policies were developed in 2018. Due to promotion, retirement, or transfers, neither captain presently involved in CIT efforts was involved in their development. In addition, the policies need to be strengthened to support best practices, and robust training on the policies delivered and reinforced to department members on an ongoing basis. The police department should ensure revised CIT policies integrate well with other department policies, as well as telecommunicator policies and Fire/EMS policies.

OPD should consider reviewing related policies within six months of the pilot project to ensure they are reflective of actual practices or the need for additional direction to officers and communications because of what they have experienced in the pilot. If repetitive questions are resulting in the actual practices during the pilot, there will be a need to provide a written directive to ensure all members are consistently providing the proper services.

We also interviewed the new Captain overseeing CIT. While she was supportive of the program, she was largely unaware of several components in the CIT directive, operational responsibilities of the CIT Sergeant Team leaders, and could not remember when she was CIT certified. This is likely a department reflection on the value of CIT, and priority consideration needs to be given to educate and empower this new Captain, while making strategic considerations that address this for future CIT leadership. Developing a position description with requirements to serve in the role is highly encouraged.

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### CIT Training Recommendations for consideration

The Orlando CIT program has class participation from several local law enforcement entities, with a resounding need, expressed from all entities we interviewed, for more class offerings. There is presently a disjointed, siloed response occurring within different organizations about how to get this accomplished.

The auditors heard some of these organizations wanting to start their own training, hiring the presenters, and offering it exclusively to their own employees. There was discussion about the possibility of adding an extra week to state academy and providing the 40-hour curriculum in academy (although FDLE at this point is not planning on that). Discussions have occurred on adding a week to OPD's recruit orientation. Presently, two key partners, Aspire and NAMI indicated they do not have the resources or funding to allocate to the number of classes that would be needed to accommodate this kind of significant increase in class offerings.

Because of the nature of CIT training, which requires diverse community-based experts to deliver the curriculum, constraints on outside resources will need to be addressed. A collaborative approach, rather than siloed efforts by local law enforcement agencies to meet their individual needs—is recommended. While there may be distinctions among the needs of agencies, including stronger emphasis in some areas (ex: youth for SRO's, scenario's specific to jail based settings etc.), these can be accomplished with a cohesive strategy.

CIT is designed by CIT International to be a voluntary specialized response model. Officers who have an interest in becoming CIT certified typically complete an application, have their disciplinary history reviewed, and the CIT coordinator would consult with the applicant's supervisor on whether their skill set would be conducive to responding to people in crisis etc. Voluntary CIT officers normally wear CIT pins on their lapels and should be prioritized to respond to calls for service involving a person in crisis. It is generally recommended that 20-25% of patrol is certified, and efforts are made to have CIT officer availability across districts and watches. Because people with mental health conditions are 16 times more likely to be killed by law enforcement, making up 25% of all fatal law enforcement interactions, increasingly, departments around the country are moving to a mandated rather than voluntary model. It is highly recommended in a mandated model that there is a "bumped up" specialized team of voluntary CIT certified officers who receive advanced training and can respond to higher level calls for service involving a mental health component. This voluntary cadre of officers often make up a specialized unit and are central to expansion efforts including Mobile Crisis Response Teams, follow up teams, high frequency utilizer interactions, homeless outreach etc. (see Portland PD, Houston PD, LAPD, San Diego models).

There is no budget presently allocated to CIT training, which we recommend. Organizations involved in CIT could consider sharing budget allocations, either direct line-item contributions, and/or donations (space, food, CIT pins/resources, a designated coordinator etc.).

Many OPD officers were trained in CIT many years ago, without having had refresher training since. A robust CIT program should include refresher training (annually, or at a minimum of every 2-3 years), as well as advanced training (focused on youth, veterans etc.) to strengthen knowledge. In addition, many communities have CIT training for telecommunications. This is a critical component of a robust program, since they are the individuals identifying the calls, and gathering the critical information necessary for officer (or alternative) response. As a result of program deficiencies, there is presently not a clear and consistent department wide understanding of the overall functioning of the CIT program.

The auditors understand that in 2021, the Florida state academy is requiring training in de-escalation and fair and impartial policing to be woven throughout the recruit academy, as well as a whole unit (Unit 2) designated to mental health and other CIT topics. This is a significant step forward for the state and should also be widely included in supervisory-level training and in annual in-service training. In addition, there are several Advanced trainings under the FDLE curriculum (ex: Racial Intelligence training). While these are not required by FDLE, individual departments could mandate them. OPD should consider mandating additional 21<sup>st</sup> Century police training. Train the trainer programs are offered for some of these important training topics and should be considered to maximize efficiencies.

As previously stated, Aspire indicated that about 50% of the training modules in their CIT class are taught by Aspire staff. This is a very heavy lift on any one organization. Consideration should be given to broaden trainers to additional community-based organization experts. Adding a trainer or two from OPD would be a useful opportunity to demonstrate additional investment beyond the present participation—which is just the scenario-based portion of the training.

A robust CIT program involves chain of command leadership and recognizes CIT certified officers who are doing outstanding work in the field. Having chain of command leadership (Captain and above) speak at the beginning of CIT classes helps to demonstrate their support and commitment to the program, set expectations, and puts voice to the expectation that officers will give utmost attention to presenters (not be on phones/computers/leave the room etc.).

Presently, it is reported that 107 of 393 patrol officers, 23 Sergeants, and 9 Commanders, are trained in CIT, though records of when they were trained are unavailable, and without any refresher training, results in a diluted one-time training model. Sergeants trained in CIT is an essential element to understanding what is being taught and in adequately supporting their CIT patrol officers in utilizing the skills and resources in the field. OPD should consider mandating all Sergeants and any newly promoted Commanders be trained, which with attrition and promotion, will build capacity and a culture of understanding the importance of the program. OPD was unable to identify how many Field Training Officers (FTOs) are CIT certified. Mandating FTO certification should be considered as new officers coming into the field can be unduly influenced by FTO's who do not have the training or context of a CIT program.

Presently, the CIT coordinator does not have any role in the curriculum development, or training of mental health and de-escalation topics in recruit orientation or in-service. This should be reconsidered for full integration and consistency across the department.

NOTE: Many departments across the country spend a significant amount of new officer orientation and annual in-service training on proper use of force, tiered levels of force and custodial escort techniques. While this is critically important training, it is often at the expense of equal or greater amount of training on a range of de-escalation practices and tactics, such as tone of voice, physical stance, using time as tactic, use of physical barriers, in other words, distance, cover, time, tone, stance and verbal/non-verbal communication strategies. These are measurable tactics that should be integrated into scenario-based training at all levels, reinforced, audited, evaluated, and included in policy, training, and operational compliance.

After review of the Sworn Recruit Orientation Training Schedule, it indicates six hours dedicated to mental health training, one hour to CIT and one day to de-escalation. Comparatively, defensive tactics, firearms training, Taser, active shooter etc. makes up a significant part of the nine-week training. While the last two weeks indicate a good deal of scenario-based training, which is extremely important, it is unclear how much scenario-based training is dedicated to situations ending in de-escalation (which far outweigh force in actual police interactions) and scenarios with people in mental health crisis.

All scenario evaluations should include - not just the officer's response - but also how it affects the public. Unfortunately, law enforcement around the country needs to work hard to change the narrative of being seen largely as threatening, to being integrated into the community, supporting, and protecting whenever possible. In a mental health crisis, slowing things down, using distance, cover, body language and softer interpersonal communication buys time to de-escalate and gain additional resources as needed.

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## CIT Data Recommendations for consideration

### Some of the suggested data collection includes:

- ◀ Establishing call codes that best capture overall calls for service (CFS) that involve a mental health component. Presently, while there are categories to include "Mental Health-Non-Violent, Mental Health-Violent etc., there has not been a strategy for identifying a way to uniformly track incoming calls that involve a mental health component. While this will not always be perfect, since many calls have overlapping characteristics, there should be a designation that triggers an automated set of triage questions at call intake. A series of triage questions could pop up on the screen to identify important information for officers responding and would indicate to dispatch that a CIT officer should be prioritized whenever possible.
- ◀ In addition, many communities have a designation (ex: alpha character z) that is added to any call, regardless of how it was dispatched, that officers can close out the call to indicate it involved a mental health component. For instance, if an officer is dispatched to a domestic call, but once on scene, it clearly involved a mental health component, the call can be closed out adding the alpha character z to the formal call code. This then allows data to be pulled to reflect calls more accurately with a mental health component. While CFS involving "trespassing", "person down", etc. are important call codes to monitor (and were originally captured by OPD as mental health calls) these do not always involve and may not be appropriate to include in data collection for calls with a mental health component.
- ◀ Calls that are closed out as calls involving a mental health component should require a CIT report be completed. An example can be provided to OPD, but should include such information as name, address, mental health condition (if given by the person themselves or a family member on scene); characteristics indicating a mental health condition (talking to themselves or others, hearing things that you do not hear, rapid speech, depressive characteristics, odd behavior etc.); whether or not a weapon was involved, and if so, what type (knife, other object, gun etc.); use of force and type by officers Disposition of the call, including: resolved in community, referred to community based services; transport to services (voluntary or involuntary); arrest (city ordinance, misdemeanor, felony), referral to alternative response team. These data reports should be routed through the CIT coordinator and his/her team to track trends on these calls, including high frequency utilizers that can be referred to additional alternative response.

- ◀ Data indicating overall calls for service, of those, number of calls for service involving a mental health component (ex: alpha character z), of those, how many were responded to by a CIT certified officer (primary or assist), of those, disposition.
- ◀ Percent of CFS that involve a mental health component, overall and by district/watch.
- ◀ Time from arrival on scene to close out of call (this is good to monitor distinctions -if any- for CIT calls vs. non-CIT calls).
- ◀ Percent use of force and types for CIT and Non-CIT officers.
- ◀ The following measures can be incorporated for better understanding ~~measure~~ overall department wide buy-in and culture re: CIT efforts:
  - Number/Percentage of active sworn officers trained in CIT.
  - Number/Percentage of active SGT's Sergeants trained in CIT.
  - Number/Percentage of active Commanders trained in CIT.
  - Number/Percentage of active FTO's trained in CIT.
  - Does chain of command support the program in policy, training, operations? How is that demonstrated?
  - What barriers, if any, do you have in recruiting CIT officers?
  - How do your telecommunicators identify and dispatch CFS involving a mental health component? What is their training?
  - It is recommended that telecommunications have designated pop-ups in their digital system capable of asking basic questions that can then be transmitted over the air and via CAD to responding officers. For example, known mental health condition (given by caller); behaviors present; weapon present (including type); triggers that can escalate behavior etc.

Data has been designed by OPD, the city and Aspire to track their newly piloted alternative response program. This data was developed prior to the auditors being able to provide guidance, however, it does capture meaningful data for the start of their pilot. OPD should consider contracting with a local University to develop critical data points, methodology and analysis.

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## DATA AND OPERATIONS SPECIFIC TO EMERGENCY COMMUNICATIONS

The auditors observed call takers actively taking and dispatching calls. They had a text 911 call come in, which we have never previously seen, and it is a good option for telecommunicators to have. Telecommunications policy requires dispatch of patrol within ten minutes of the call, however OPD has no minimum or maximum time requirements for response, which can be problematic.

Telecommunications has no roster of CIT officers on duty, so there is presently no automated way to prioritize dispatch of Mental Health calls for service to CIT trained officers. This is problematic and needs to be addressed as part of an overall robust strategy.

If the Mental Health Response (MHR) team is on duty (alternative pilot), they are dispatched to appropriate calls (currently only 20 N and 20A CFS (non-violent mental health and attempted suicide). They are a two-person clinician and case manager team (no law enforcement). If the team is not on duty, patrol responds. If patrol responds, and they deem it appropriate for MHR follow up, they are supposed to close it out with MHR attached as the disposition code and complete a Field Information Report (FIR), emailing it to the designated MHR team at Aspire (they have a dedicated email). They are then reviewed the following day and decisions are made about whether it is deemed appropriate for follow up. Presently, the MHR has a reported average of a 15–20-minute response time, though the contract allows for up to 60 minutes.

There is currently no way to audit if an FIR is being completed on MHR referrals except to manually look at the follow up list at Aspire and compare it to codes with an MHR disposition. An automated system would be extremely useful, and available options should be considered. It would also be useful if a call that is cleared with MHR would then automate the FIR to pop up in the PDT system and require completion to fully clear the call.

Presently, dispatchers are requesting over the air if a CIT officer is available only if the caller is requesting a CIT response. This is problematic and we believe should be required any time a mental health condition is identified and always when any of the four Mental Health call codes utilized by OPD are dispatched. They should not be limiting CIT response only to callers who specifically request a CIT response.

Telecommunications has already integrated one of our early recommendations by automating the Aspire questions for determining if the MHR team was appropriate into the call takers computer. They should be commended for this early adoption and should continue to auto correct as the program continues. It is likely this will evolve as data and experience grows.

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### CIT Operations: Recommendations for consideration

As previously indicated, presently, there is no standardized roster of CIT certified officers that maintains active patrol CIT certified officers, which district/shift they are on, ensuring it is accurately coded and updated daily for telecommunications so that the nearest available CIT officer can be dispatched. Presently telecommunications must ask “over the air” if a CIT officer is available, and even then, officers do not always self-identify as CIT, or a CIT officer is on another call and unavailable to respond.

The community should be educated on CIT and on how to request a certified CIT officer. They should be able to identify the officer by the CIT pin they wear on their uniform. Presently, it was shared with the auditors that CIT is largely promoted through only department email and through Aspire. OPD should consider attending community meetings, carrying resource cards to give to families, NAMI etc. to actively promote the program. There are many opportunities to educate the community, however a more cohesive CIT program needs to be developed before extensive community education.

There is no requirement for Sergeants to audit BWC each shift, including those that were identified as having a mental health component. This is important not only for overall accountability and coaching, but also to assess CIT skills utilized, and resources accessed. It is also one of the reasons Sergeants should be trained in CIT.

The required response to resistance, use of force documentation and BWC review does not include a tangible assessment of “de-escalation” strategies implemented. As indicated previously in this report, measuring whether time, space, tone, cover, stance, asking open ended questions versus commands, calling for specialized units etc. are important to evaluate. There are tangible ways to assess use of de-escalation strategies, which reinforces to officers what the department means when they are prioritizing “de-escalation”. Otherwise, the word becomes diluted, and the response is often seen as a “check box”.

There appears to be a lack of understanding on protocol and access at the Aspire Crisis Receiving Center (CRC). The auditor’s question if this is part of the reason there is a high level of Baker Acts in Orlando. If the city does not have a designated, easily accessed crisis center, conducive to law enforcement (without long wait times, extensive paperwork, exclusions as to who can be taken to the crisis center etc.), efforts for diversion will be deterred. If it is easier to book someone into the jail than to divert to treatment, officers will often choose arrest. A robust 24/7/365 drop off center for LEO’s (that typically can also be accessed by individuals and families themselves) is essential and should be funded and supported.

Presently, CIT training and specialized programming is not listed on the OPD website. This is often an indication of both how CIT may be viewed by the department, and sometimes the overall disjointedness of the program itself. Once CIT becomes a more deeply embedded and robust program, as intended, it should be identified on the website like any other specialized response, and consideration should be given to including additional programming like the pilot alternative response program.

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## IMPLEMENTATION STRATEGIES

Develop Strategy best suited for Orlando and OPD—Commander leadership, along with front line CIT team members + Informed by Mental Health Consortium

### **VOLUNTARY**

- All officers complete a 3-day CIT which covers all the essential topics plus Scenario Based Training (SBT) and Site Visit(s)
- Develop Process for Identifying appropriate CIT officers (Put out a Notice of Job Opportunity—NOJO-- which includes an application, interview, review of disciplinary history, supervisor recommendation etc.).
- Seek Goal of 20-25% across districts/shifts, based on Calls For Service data.
- Prioritize these officers for re-certifying in 40-hour CIT (unless they participated in the last year)
- Develop Advanced Training (Youth, Veteran) over the next year for these officers to participate in 2022.
- This specialized cadre of CIT certified officers would be prioritized for response to calls for service involving a mental health component. They would be identified by CIT certified pins.
- Identify a “CIT District Level” Position, who is the primary point person for CIT in their district. They will be responsible for Roll Call Trainings on relevant topics, educating the district on the Alternative Response Pilot, Data on Mental Health CFS in their District, High Frequency Utilizers etc.
- Prioritize Research of National Models

### **MANDATED**

OPD would need (16) 40-hour courses to train all.

- Utilize the Mental Health Consortium for non-siloed brainstorming.
- Broaden trainers to increase capacity.
- Prioritize Patrol, then Sergeants
- Implement steps 2-7 for the “bumped up” cadre of voluntary, specialized officers.

### **EMERGENCY COMMUNICATIONS**

- Develop Telecommunication Specific (8 hour-3 Days) CIT, OR include Telecommunications in 40-hour CIT.
- Prioritize Response of CIT officers (under new model, not as it is today) to CFS involving a mental health component.
- Develop system for identifying Mental Health Calls at 911 and at OPD (consider adding an alpha character to the clear code)
- Embed Citizen Facing Social Worker to divert non-emergency calls.

### **ACTIVE ENGAGEMENT IN MENTAL HEALTH CONSORTIUM, POLITICS, AND EGO’S ASIDE**

- Share Data Openly
- Own Mistakes
- Brainstorm Better Integration across programs and departments
- Ensure adequate participation by “on the ground” experience and high enough positions to influence change.

#### **◀ Employ CIT Coordinator**

Develop a Position Description, to include the process used in identifying CIT officers, plus adding considerations with rank, education, and experience.

#### **◀ Develop CIT Report**, to include at minimum:

- Demographics
- Behavior Observed
- If weapons were present (and what type)
- Whether or not officer is CIT
- Disposition (resolved on scene, transported voluntary, Baker Act, Arrest)
- Arrest type (city ordinance, misdemeanor, felony non-person, felony person)
- Use of Force-type

## **ALTERNATIVE RESPONSE TEAM**

- Add one additional team to the pilot -continue to monitor trends to inform further expansion.
- Add one real time co-response team (to include soft uniform CIT officer, unmarked vehicle, position description co-developed, co-interviewed, co-housed)
- Add one Justice Involved Case Management Team (1 clinician and 2-3 case managers to focus on proactive outreach to high frequency utilizers, warm hand-off post release from jail and from Baker Act hospitalizations for continuity of treatment)
- Add one case manager inside the jail to cross check daily booking report and community mental health center database. (See Appendix for more information)

### **◀ Hire External Data Analyst for Ecosystem**

### **◀ Develop and Execute Public Education Campaign**

## **VIII. TECHNOLOGY, DATA COLLECTION & ASSESSMENT TOOLS APPENDIX**

### **◀ Implement a centralized management analytics platform**

OPD should strive to implement a centralized management analytics platform to improve access to data and communication throughout the department (and especially with leadership). An analytics platform would reduce time spent doing routine analyses and could be structured to incorporate data topics of interest across the entire chain of command.

The management analytics platform should enable officers, supervisors, and command-staff to find any data they need to perform their role effectively. The platform should be accessible on an internal website and available to relevant personnel. The platform should aggregate reporting on a variety of management topics, many of which are described herein such as recruitment process management, community policing, and overtime expenses.

A platform could also be used to ensure better data-driven management on other key topics important to leadership such as fleet maintenance or staffing allocation decisions. Agencies using this type of platform are better positioned to take advantage of the information they are collecting in a systemic manner and make strong, data-driven, decisions. Agencies that lack this ability are forced to rely on anecdote rather than data for making decisions at the tactical and strategic levels.

A management analytics platform can also facilitate data-driven management by OPD leadership by centralizing information in one location. The platform could be used to facilitate meetings on management topics alongside in-depth discussions of crime at the OPD Compstat meeting. A proper management analytics platform should be able to incorporate data from a variety of sources, including spreadsheets, as more sophisticated data collection instruments are developed. This flexibility would enable OPD to begin building a platform within the existing data infrastructure while working to improve the department's data collection capabilities.

### **◀ Improve the current repository of open data**

This assortment of data sources provides a foundation from which to build a more robust open data program. OPD's current open data repository could be improved by including more columns of data and updating more regularly. The Calls for Service dataset, for example, would be more useful if it included information on response times (time of queue, dispatch, arrival, and closure), call priority, or more geographic information such as the OPD district or neighborhood in which the incident occurred. The timeliness of available open data could also be improved. Open data is also most useful when it is timely, so OPD should ensure that all datasets are updated regularly. Automated daily updates are ideal whenever possible, especially for Calls for Service and crime incidents. The Calls for Service and Crime datasets are several months behind – latest date of available data as of November 2020 is from June 2020, the Officer-Involved Shootings dataset does not have any incidents available since April 2020, and the Response to Resistance and Hate Crimes datasets have not been updated since 2019 and 2018, respectively.

## ◀ Integrate training data into management analytics

OPD uses PowerDMS to store training data and track all training received by personnel. Training data can be reported out of PowerDMS and broken down by individual officer or training class, but not by squad or district. All training reports must be run through PowerDMS, and the data of interest must be individually exported each time.

Typical training reports include a specific officer's training history, the type of training that was delivered, and attendance at mandatory trainings. OPD also creates an annual training matrix that that the Police Chief can review to see what training is being delivered and to understand the overall training plan.

OPD should integrate training data into an overall management analytics structure. This would free up resources currently used to generate reports and further support training delivery and attendance management. OPD would also benefit from providing training data to the public demonstrating the types of training received by officers, topics covered, and training time frames. This data should be integrated into the management analytics platform mentioned above.

## ◀ Leverage reporting on use of force & complaints internally & externally

As discussed during the data analysis section, there should be improvements in the quality of OPD data collection. For Use of Force tracking, OPD should leverage the ability of the BlueTeam platform to report data out in a dynamic manner. This will help OPD strengthen its current Response to Resistance Summary Reports and allow it to create additional reports on how force is used. This data should be integrated into the management analytics platform mentioned above. Additionally, OPD's annual report should provide more in-depth analysis of OPD's use of force data by adding, for example, a breakdown of the incidents by race, gender, and age. Finally, OPD should make its use of force data accessible to the public through its open data program.

## ◀ Integrate data to enhance OPD analytic capabilities

OPD's crime analysts are based in the department's Real-Time Crime Center, which is part of the Investigative Services Bureau. The unit has grown from three analysts to a budgeted strength of 10. Analysts primarily provide support to investigations, though they also assist the Patrol Bureau at times. Analysts do not appear to provide direct support to the department's community policing mission except very narrowly through the Planning Office's analysis on CPTED projects. OPD is working with the U.S. Bureau of Justice Assistance to assess the Crime Center's capabilities and facilitate the growth of the unit.

OPD's Planning Unit also conducts its own data analyses on a regular basis. The Planning Unit examines CAD data to inform citywide planning decisions, support Crime Prevention Through Environmental Design (CPTED) programs, and work to improve staffing and resource allocation within the department. The Planning Unit runs queries through the RMS directly. It also runs some regular queries in Excel spreadsheets, which helps automate some of the unit's workflows.

Both the Crime Center and Planning Unit use the Department's new RMS by Tyler Technologies. The Crime Center is also working towards implementing a Socrata dashboard solution (which is also provided by Tyler Technologies) to disseminate a range of crime-related dashboards within OPD.

OPD's Criminal Investigations Division (CID) does not rely on RMS for key data functions. CID stores its case data in an internal Excel spreadsheet, which it uses for regular management meetings within the Department. CID detectives pull their case assignments by hand, and information sharing between CID and the Crime Center analysts is typically done in person rather than through a central repository of case information.

Rapidly identifying open, cleared, and otherwise closed cases is critical for agencies to know how often cases are being solved and recognize emerging issues as they develop. OPD's RMS does not distinguish between an open active case and an open inactive case, so CID also internally tracks its own clearance rate statistics rather than using RMS.

As a result, case tracking is performed outside of the system of record which often leads to information being incomplete, inaccurate, or inconsistent between the two mechanisms. Having disjointed data on a critical element connected to public safety means that it is more difficult to manage performance on this issue.

OPD uses data to support a variety of data-driven meetings. For example, OPD's crime analysts create data products in support of a weekly crime and intelligence briefing meeting. The purpose of this meeting is to facilitate a focused conversation with officials (ranked captain or higher) regarding crime trends and strategies. Intelligence is also regularly shared between detectives and crime analysts, though there is no formal meeting information sharing structure.

Deputy chiefs also meet regularly with the Police Chief to discuss key management issues. A variety of data products are used in these meetings, including fleet status, overtime statistics, HR data, and crime statistics. OPD does not, however, host any sort of large, structured meetings where data is used to facilitate discussions about key management topics.

CID should integrate data from the RMS to regularly look at clearance rates and detective workload throughout OPD. Moreover, a great deal of the Planning Unit's work is ad-hoc and requires unique analyses, so the unit would benefit from having greater access to data and a larger build out of sophisticated reporting mechanisms for their purposes. Finally, many management topics currently are not reported in a systemic way. Connecting data through an integrated platform would support analysis and improve department performance in a myriad of ways.

## IX. SCHOOL RESOURCE OFFICER APPENDIX

### ASSESSMENT BACKGROUND DETAILS

#### Document Review/ Research

- Florida Marjory Stoneman Douglas Public Safety Act<sup>74</sup>
- Orlando Police Department/Orange County Public Schools School Resource Officer Program Standard Operating Procedure
- OPD/OCPS School Resource Officer Program Agreement, 2019-2021
- OCPS Collaborative Agreement on School Discipline
- OPD Juvenile Policies
  - 1204.12 Juvenile Procedures
  - 1114.10 Mental Health Cases (Baker Act)
  - 1115.9 Lost or Missing Persons
  - 1210.4 Arrest Warrants and Juvenile Custody Orders
  - 2203.2 Explorer, Cadet, and College Internship Programs
  - 1203.5 Juvenile Civil Citation Program
- OPD SRO Campus and Officer Assignments
- OPD Super Kids! Program Material
- Open Source Documents – School-Based Policing Best Practices
- Open Source News Articles

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<sup>74</sup> State of Florida Senate Bill 7026 – Marjory Stoneman Douglas Public safety Act, March 2018.

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## Interviews

- OPD School Resource Section supervisors
- School Resource Officers
- OPD Staff
- Orange County Public Schools Officials, administrators, and staff
- OCPS Chief of Police.
- Other stakeholders

## On-Site School Visits

- OCPS campus at all levels – high school, middle school, and elementary school
- Officer observations
- School administrator interviews

## Community Feedback

- Community comments
- Public outreach review

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## OPD Interviews and On-Site Visits

Interviews conducted with OPD SRO Supervisory staff revealed the following detailed information. Currently, the SRO program consists of 53 school resources officers, 5 sergeants, and 1 lieutenant. OPD SROs staff 5 high schools, 9 middle schools, and 33 elementary schools. Each high school has 2 SROs and middle and elementary schools have 1 assigned officer. This current staffing allows for OPD to assign a SRO to each OCPS campus within the city limits of Orlando.

According to the supervisory staff of the SRO Section, the philosophy of the School Resource program is to create a safe environment for students, staff, and visitors to OCPS campuses. The SRO Lieutenant stated that the Section focus is on safety not on enforcement. He indicated that the SROs are trained to “use every available means” to avoid arresting students in the schools.

This philosophy is confirmed by a review of SRO activity statistics. The 2020-2021 school year had very low law enforcement activities as reported by OPD including:

- Arrest: 1
- Cases sent to State Attorney Office: 11
- Juvenile Citation: 5

It was also indicated that the SROs have a very good working relationship with school administrators on the campuses. OPD feels that there is a good balance between the role of the SRO and school administrators. There appears to be a clear understanding that officers are not involved in school disciplinary matters and that student misconduct that does not involve criminal violations are the responsibility of school administrators within the school discipline process.

Following the Marjory Stoneman Douglas Public Safety Act, the OPD through agreement with the OCPS began expansion to meet the obligation of placing a SRO on every OCPS campus in the city of Orlando. OPD accomplished this expansion before the beginning of the 2019-2020 school year.

Other MSDPSA requirements include monthly threat assessment meetings and active shooter drills on every campus that mandates the presence of law enforcement. The SROs are attending the threat assessment meetings and actively participate in the active shooter drills.

OPD SRO Supervisors stressed the importance and their commitment to selecting the “right” officers for the Section. The Section Lieutenant indicated that SRO is a sought after position and they routinely have multiple officers apply for open positions. He described the ideal officer as one who has the desire to work with students/youth and who understands the school environment.

The SRO Section has a very extensive and detailed selection process. Interested officers are required to submit an application including a statement of interest in the position. Officers are subjected to an in-depth interview/oral board and a records check including discipline history, performance evaluations, and supervisory references.

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### Internal Communication observations

The School Section Commander holds a bi-weekly Mitigation Meeting with all SRO Sergeants. This meeting is held virtually with topics ranging from current events to officer wellness or any other pertinent topic. He stated the Mitigation Meeting is designed to facilitate critical thinking and open dialogue between the Unit supervisors. One meeting was observed and it was found to be very enlightening and informative. The topic was “officer emotions”. The Sergeants were shown two videos on the topic and asked to discuss their reactions. The Sergeants were very engaged in the discussion.

The School Section Lieutenant recently implemented a policy that Sergeants must “check on assigned officers” at least once a week to assess their well-being, stress levels, and other factors that may be impacting their work within the schools. He indicated this officer check was implemented in response to the current environment and the recent criticisms of policing.

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### Orange County Public Schools Site Visits

School administrators indicated very positive views of the OPD SRO program.

A high school principal of a campus with a more than 1850 student population (1000 currently on campus due to COVID-19) reported the following:

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The role of police officers in the schools is to build relationships with students and staff to create a safe educational environment and to provide crisis response when needed. This administrator believes that OPD does a very good job of selecting and assigning the right officers to the various schools. He feels that the SROs currently assigned to his school are a “very good fit”.

This principal stated that his assigned officers know the students and understand the diversity of the school and the surrounding neighborhoods. He is impressed by the way the SROs are knowledgeable of issues and work with the students to address issues before criminal activity occurs. This principal meets with his Security staff every Wednesday and the SROs are actively involved in these meetings. He also indicated that the SROs fully participate in the monthly threat assessment meetings, as required by the MSDPSA. This principal stated that the SRO Sergeant checks in regularly and asks for input on the officers’ performance and other issues. He reported that the Sergeant is very easy to reach and is very responsive. The only critique offered regarding the SRO program was regarding officer attendance. This principal would like to be kept better informed when the SROs will be away from campus for extended periods of time such as for training.

A middle school principal from a Title I school with more than 850 students reported the following regarding the OPD SRO program:

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This principal indicated she believes the role of the SRO is to be collaborative with the staff to address the needs of the students. She feels it is the responsibility of the SROs to ensure a safe and secure campus environment. She strongly believes that the SRO or law enforcement has no role in the student discipline process.

This principal was very complimentary of her SRO and believes that the assigned officers are a “very good fit”. She stated that the SRO is very actively involved with the campus safety planning. She further indicated the SRO Sergeant is very responsive and seeks input on officer performance and any issues that arise.

The only critique offered regarding the SRO was regarding activity specific to the COVID-19 impact on the school environment. She would like to see her SRO engage in more mentoring to help with issues such as student isolation as a result of the pandemic.

An elementary school principal reported the following regarding the OPD SRO program:

This principal was very complimentary of the OPD focus on putting the right officer in the right school. She believes that the SRO is part of her team and “part of the school family”. She feels the role of the SRO on an elementary campus is to be accessible, patient, and come with a “sense of humor”.

This principal stated that her SRO does a great job of ensuring the safety and security of the campus, students, and staff. She feels her current officer has adapted well to the elementary school environment and communicates with her and her staff. She feels her SRO is an outstanding role model for the students. There were no suggestions for improvement or critique offered.

The Orange County Public Schools Police Department Administrator responsible for overseeing the SRO reported the following regarding the OPD SRO program:

OPD is one of nine (9) local law enforcement agencies that provide SRO services to the OCPS. He indicated that the decision to contract with local agencies to meet the requirements of the MSDPSA was the result of an assessment completed by Safe Haven International that recommended this model as best meeting the needs of the OCPS. This administrator indicated that, in the current “defund the police” environment, activist groups and teacher union representative have approached the School Board to dissolve the SRO program in the schools. He stated the OCPS Board, while is cognizant of the current environment, remains very supportive of the SRO programs to provide safe and secure campuses and meet the requirements as required by Florida law.

The Police Administrator stated that OPD fully participated in the Collaborative Agreement on Discipline that was implemented in 2016 and continues follow the philosophy outlined in the Agreement. He also said that, although OCPS maintain responsibility for emergency management plans for campuses and facilities, SROs fully participate in safety planning and campus drills.

### Community Outreach

A series of community outreach interviews and listening sessions were conducted as part of the Community Engagement Project. During several of these sessions, community members expressed concerns regarding police presence in Orange County schools. Examples were given of several high profile incidents reported by local media outlets involving the arrests of students including those as young as 10 years old.

It was determined that one such event occurred in 2018 and involved an OPD Reserve Officer assigned to a school campus following the passage of the Marjory Stoneman Douglas Public Safety Act. The assigned officer was part of the OPD Reserve Program and was not a certified SRO. OPD was utilizing reserve officers for campus assignments until all positions could be filled with selected SROs. This incident involved the arrest of a six-year-old girl. The officer was investigated for policy violations and subsequently terminated.

OPD has had no further complaints of officer misconduct of this nature with regards to certified SROs since that event. OPD reported only minor complaints such as parking issues and officer absence from campus have been received in the last two (2) school years and have been handled at the supervisor level. SRO supervisory personnel stated they do not track minor complaints of this type.

Other recent examples discussed by community members occurred in Orange County schools, however, OPD SROs were not involved. The reported incidents occurred on campuses outside the OPD jurisdiction and the actions taken were by other law enforcement entities.

One particular community member attended several sessions to talk about the arrest of her ten-year-old autistic son at an Orange County school and indicated her belief that the arrest was carried out by an OPD SRO. OPD has no record of the arrest of her son.

Several community members expressed concerns about police officers in schools in the broader context of “defunding the police” and police reform demands without specific examples regarding OPD. The comments were in the context of decisions being made by Orange County Public Schools.

### FPR/OPD PROGRAMMING

Police Explorers: The OPD Police Explorers program currently has a membership of 22 participants between the age of 14 and 20 years old. It was reported that the membership numbers are currently lower due to loss of participants as a result of COVID-19. OPD strives to have a diverse membership. Currently, the OPD Explorer program demographics are:

- Gender
  - 13 – Males
  - 9 – Females
- Race/Ethnicity
  - 7 – Hispanic
  - 9 – White
  - 5 – African American
  - 1 – Asian

The Explorer program is directly supervised by an assigned Corporal who has been with the program for eight (8) years. He reported that they are trying to add to the membership and resume normal program activities that were impacted by COVID-19 restrictions.

Super Kids: The Super Kids program, in partnership with the Orange County Public Schools, is curriculum presented to all 5<sup>th</sup> graders. The curriculum includes the topics of drugs, bullying, peer pressure, positive choices, Internet safety, violence, consequences, and decision-making.

### Community Outreach

- Youth Liaison Officers: There are currently 23 Youth Liaisons officers assigned to the Patrol divisions. Youth Liaison Officers complete contact sheets for at-risk youths contacted in the field who are in need of resources. The YCOP Cpl. follows-up on the contact sheets to make referrals to resources and service providers. Youth Liaison Officers are required to attend quarterly training.
- Operation Positive Direction: This program pairs at-risk youths with officers who act as mentors.
- Youth Connection: This program consists of an e-mail address ([youthconnect@orlando.gov](mailto:youthconnect@orlando.gov)) provided by OPD to parents who can request help and resources.
- Junior Reserve Program: This is a new program in partnership with the Orange County Public Schools and the Orlando Regional Realtors Association. It consists of a criminal justice curriculum for 9<sup>th</sup> and 10<sup>th</sup> grade students. Upon graduation, students will receive 12 hours of college credit from Valencia County College and either a Public Safety Telecommunicators certification or Traffic Direction certification. There are 300 students enrolled in the program for the 2021-2022 school year.
- Teen Police Academy
- Police Coaching for Success

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## Other Youth Related Programs

Dueling Dragons: Dueling Dragons began in 2010 and is a partnership program with the Orlando Community & Youth Trust, Inc. The programs pair at-risk youths with police officers to train and compete in Dragon Boat racing events.

The stated Mission of the Dueling Dragons' "is to use the sport of dragon boating to form long-term mentoring relationships between Orlando police officers and inner-city youth. Success in dragon boating comes only when everyone in the boat works together in complete harmony. In the process, stereotypes come down, profiles melt away, friendships are formed, and lives change for the better." The program is designed to bridge the gap between at-risk youth and law enforcement.

The program currently has three (3) Dragon Boats with 20 rowers per boat, 10 officers and 10 kids. The program is funded in whole by donations and sponsorships managed by the Director of the program, Andrea Eliscu. Ms. Eliscu is commended for her efforts on behalf of the Dueling Dragons program.

Dragon Boat training with the kids and the officers is conducted every 2<sup>nd</sup> Wednesday starting in February through October. Racing events are held throughout the year. A training session was observed April 28, 2021. Speaking with officers in attendance, they spoke very highly of the program and its impact on the kids who participate in the program. One officer indicated that she has volunteered with the program for several years. The youth involved in the program were very engaged and seemed very comfortable with the officers and the other adult volunteers.

Ms. Eliscu provided links to various resources promoting and explaining the Dueling Dragons program and the impact on the youth participants.<sup>75</sup>

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## ORLANDO FAMILIES, PARKS, & RECREATION INTERVIEWS

An interview was conducted with the leadership team of the City of Orlando Families, Parks, and Recreation (FPR). The conversation related to the relationship between the Orlando Police Department, youth programs and officer interaction.

Members of the FPR team were complimentary of the OPD School Resource Officers. They felt that the trained SROs were very dedicated in mentoring and well-being of the youth in the schools and in the community. They also felt that the focus of the "street" (patrol) and special unit officers is too focused on enforcement rather than creating positive relationships with at-risk youth. It was stated that it appears OPD makes "too many stops and arrests for minor things" such as jaywalking that puts youth unnecessarily into the criminal justice system.

The FPR is responsible for the programming and operations of 18 community recreation centers throughout the City. It was stated that OPD does not have a strong working relationship with the staff at the recreation centers and do not regularly work with the youth who attend center activities to build relationships.

It was commented that OPD puts on "barbeques" and other one-time events as youth outreach but lacks actions that are more relationship building.

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<sup>75</sup> <https://www.youtube.com/watch?v=MROUySGMKsM>; <https://www.youtube.com/watch?v=uvxWh8LCqiM>

Recommendations from FPR leadership and Community Recreation staff to strengthen relationships between OPD, FPR, and the youth in the community were presented and include:

- ◀ Involve FPR staff in interviews to select officers who will be working with you
- ◀ Use sites as hubs for local unit or assigned officers in area that are visual
- ◀ Meet with Center Managers once a month
- ◀ Conduct site survey once a week without Manager / once a month with Manager on the last week
- ◀ Quarterly youth engagement
- ◀ Resource officer at sites
- ◀ Positive presence at the center with engaging the youth on a regular basis during the after-school program. Increase security presence (Consistent check-ins)
- ◀ Attending community events to build relationships with community members. Talk to people.
- ◀ Shoot around during open gym and nights and weekends
- ◀ Partner with sites to provide opportunity to meet and talk with community.
- ◀ Plan annual activities i.e. kickball games, Dodgeball, basketball to compete against kids
- ◀ Have a presence in the parking lot when filling out paperwork at night and on weekends. (having a presence but not active)
- ◀ Participate in special events & programs (Cookies with a Cop, Mentor youth in after school, Neighborhood meetings, barbecues, advisory boards, etc.). Create friendly competitive activities for the neighborhood and/or the summer program
- ◀ Each site should have a list of OPD point of contacts for their zone (Ex: Area Sector Commander)
- ◀ Show the young people that they should not be afraid of the police
- ◀ Come inside the building when they are in the area to establish relationships with center staff and community members/youth
- ◀ Stop taking so many pictures and videos of kids all the time. Focus on building relationships
- ◀ Establish mentor system with REC staff so they learn how to work with our youth
- ◀ Create an open line of communication between center staff and area officers. Talk about what's going on in the community. How can we help each other
- ◀ Participate in MBK and ROAM
- ◀ Community patrol officers on foot or bicycle.
- ◀ Morning presence in the neighborhood (for the kids walking to school).
- ◀ Visit the center during night programs so the community knows who they are
- ◀ Attend community Meeting
- ◀ Attend HOA Meetings
- ◀ Security presence, financial partnerships for events and programs, host community meetings, community clean-up day, attend special events (which they do when we call them), host NNO at our sites, meet and greet of officers working in our areas/communities.
- ◀ Patrol Park on the weekends such as Hankins, Ivey etc.
- ◀ Community outreach programs for seniors and youth. Liaison to help navigate center and department during non-emergencies.

Program Ideas:

- ◀ **Cops & Barbers (Community):** This partnership will establish meaningful relationships in communities to start the dialogue for sustainable community growth. Particularly, targeting black and Hispanic males along with providing education and additional resources in trades and entrepreneurship opportunities. Once a quarter we have an event inside the gymnasium to include cops, barbers, teens, and community leaders to play a fun game of basketball. The local radio station and partners will cook and serve food while other vendors will be invited to showcase their services. Face painting, fun games, and performance will be an added addition to the kickoff event.
- ◀ **Police Athletic League (Teen Focused):** Partner with local community centers and start an intramural sports league with police involvement. Sports are a great way to serve the community in a non-threatening environment and have open dialogues between police, youth, and community members.

- ◀ **Police/Forensics Academy (Leadership Training Program):** This partnership will give youth the opportunity to learn more about the police and their role in our community. Students will get the opportunity to participate in basic exercises such as training camp, behind the scenes jobs in law enforcement, basic forensics science (how evidence is processed, processing crime scenes, fingerprinting, digital technology, etc.)

## XI. RECRUITMENT & HIRING APPENDIX

### ASSESSMENT BACKGROUND DETAILS

#### Documents Reviewed

- OPD Recruitment SOP
- 2019-2024 Strategic Plan
- OPD Organizational Chart
- Job Bulletin: Background Investigator May 2021
- Recruiter Position Vacancy Announcement – January 2021
- Staffing Demographics – Recruiting
- 2019, 2020, 2021 Authorized Strength Reports
- Full-Time Staffing Make-up
- 2018-2020 hired officers graph document
- Policy 1102.7 (Bias-Free)
- Police Officer Pre-Application lists August 2015- June 2021

#### Media Reviewed

- City of Orlando website
- City of Orlando PD website
- Recruitment video on city website
- Twitter media
- Facebook Media
- Linked-In

#### OPD Employee Interviews

- Recruitment supervisor
- City of Orlando
- Background Investigation
- Professional Standards

### RECRUITMENT OVERVIEW

Recruiting police officers has become more complex and multifaceted in recent years. Well-publicized police use of force incidents and public scrutiny of police have negatively impacted the profession and most departments across the country. Many departments are reporting their difficulty in attracting enough well-qualified applicants to fill all available open positions.

#### Organizational Structure

When a recruitment event is scheduled, and the Recruiting Officer determines that there is an opportunity to utilize RAP officers, he or she sends out an e-mail requesting assistance. There may be times when specific RAP officers are requested due to a specific audience (i.e. Military bases, colleges, women’s forums, etc.), and their associated experiences. Officers can participate in RAP as long as the Recruiting Unit requests assistance, and their supervisors approve their attendance. While participating in RAP assigned officers are required to perform their duties in a satisfactory manner. This requires displaying a professional appearance, positive and enthusiastic attitude and exemplary personal conduct at all times. RAP duty is considered a career development opportunity.

All RAP officers are trained in personnel and legal subjects, to include: the hiring process, civil service exams, physical assessment tests (PAT), hiring standards, Title VII (ADA), veteran's preference, sworn applications, rider's observation program, certified and non-certified applicants, transfer certification, polygraphs, background investigations, and frequently asked questions (FAQs). RAP officers must be trained before they are allowed to participate in recruitment activities.

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## Recruitment Unit Qualifications

To be designated as Recruiters, assigned officers must meet the qualifications set out in a position vacancy announcement, which includes qualities frequently found in national best practices – a minimum of four years as a permanent officer, be in good standing with the department and the FOP Contract, have above-average public speaking and interview skills, a good work history with no negative endorsements, satisfactory evaluations with no “unacceptable grades” in the past two performance appraisals, be willing and able to adjust working hours and shifts, be capable of working with minimal amount of direct supervision, have above average time-management and organizational skills and have demonstrated strengths in the areas of initiative, judgment, decision making, and community service. The officer/applicant must have no pattern of excessive unscheduled absences. Desired characteristics for the Unit include: the ability to establish a professional rapport with colleges and military installations and basic computer skills.

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## Media Outreach

The OPD promotes the department widely on social media. OPD has a sizeable recruitment video highlighting the slogan “Courage, Pride and Commitment”. The recruitment video is located within the Orlando website, is produced professionally, and it would be appealing to many potential candidates interested in police careers. The video demonstrates officers performing exciting police work in SWAT-type movements, marine, canine and horseback actions, chasing suspects, firing range, repelling, investigating crimes, parades, funeral and involved in large-scale special events. Notably, while very well done, the video could be improved with added police-community interactions.

Typically, this type of video is more representative of versions of law enforcement recruitment videos, highlighting the “warrior approach” to policing, rather also highlighting today's widely preferred public appeals for a “guardian approach” to policing. In interviews with the Recruitment staff and higher-ranking officials, they describe understanding the need to increase the representation of community engagement in the video, but also emphasized that the video “represents their identity”. There is no question this video has positive outcomes for recruitment. The department should consider adding additional videos, such as the ones they have on other media sites with very visible community interaction, more easily located on citywide and police department websites.

In addition to enhancing this recruitment video to signify more police/community engagement, it would also be more beneficial for potential police candidates to be able to locate recruitment information and videos more easily on the citywide websites. Currently, a potential candidate searching the Orlando city website, would select Public Safety, then select Orlando Police Department, and then select “Watch what it's like to be an Orlando Police Officer.” The department does a better job with visible police recruitment-style videos on other mass media sites, such as Facebook, Twitter, YouTube, Instagram, Flickr, LinkedIn and Nextdoor, with banner headlines that are more easily located.

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## Recruitment Outreach

Department recruiters utilize a wide variety of outreach social media, including Internet Advertising, Career and Job Fairs and Community Events. They have received over 35,000 applications since August of 2015 and most were received from the Internet and website, recruitment events, personal recommendations and outreach from friends or acquaintances.

Agency Website	7935	22 %
Bulletin	194	1 %
Friend	4534	13 %
Internet	17626	49 %
Magazine	33	0 %
Other	4336	12 %
Recruiting Event	1057	3 %

\* Total responses from Police Officer Pre-applications: 35715 (note, candidates were asked to select “all that apply”, so single candidates could select multiple options)

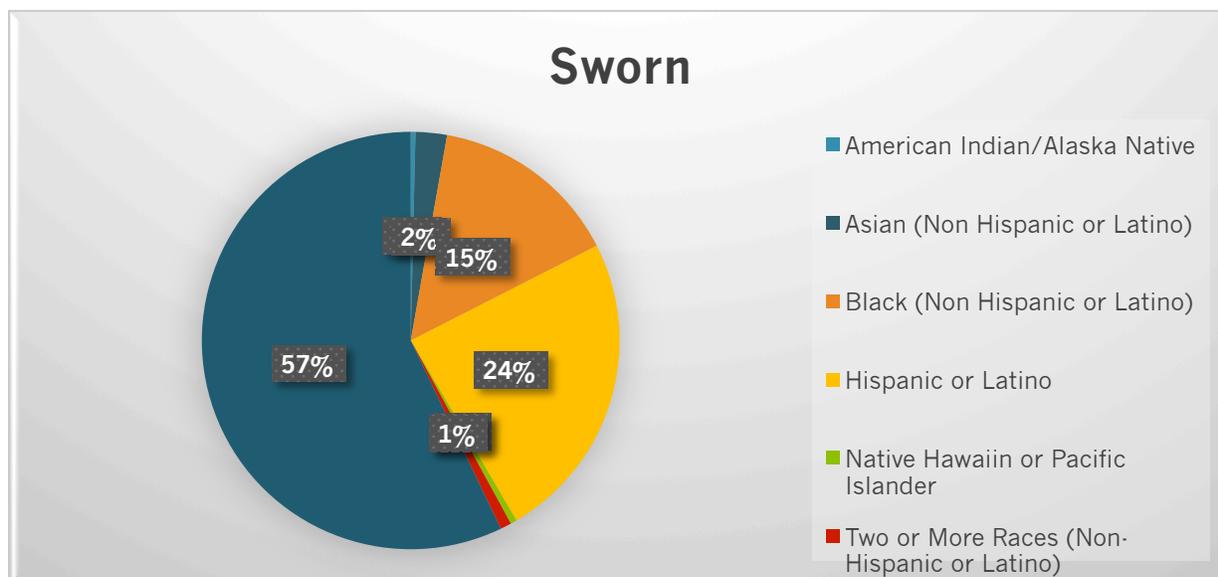
## City Demographics

According to the most recent American Community Survey (ACS), the racial composition of Orlando is:

- White: 61.31%
- Black or African American: 24.55%
- Hispanic 25%
- Other race: 6.19%
- Asian: 4.25%
- Two or more races: 3.48%
- Native American: 0.21%
- Native Hawaiian or Pacific Islander: 0.02%

Orlando has the largest Puerto Rican and fastest-growing population in Florida with a cultural impact like that of Cuban Americans in South Florida. The Hispanic population of the city has grown dramatically in the last few decades from just 4% in 1980 to 25% in 2010. There is also a large Caribbean and West Indian population in the city with many Tobagonians, Trinidadians and Jamaicans and a large Haitian community.

Figure A 53 Sworn Police Officer Demographics Chart



The demographic of the department closely mirrors the demographics of the city, except for one category, the African American population. The general population of Blacks (Non-Hispanic or Latino) is approximately 24% and the department's sworn African American representation is approximately 15%.

## Diversity and Inclusion

In researching the OPD website, a person can locate a statement on the department’s support of the importance of a diverse workforce under the heading: “Our Commitment to Racial Equity”. The section states, “The Orlando Police Department is dedicated to protecting the safety of every member of our community and to the fair and equitable treatment of every person we encounter. The Orlando Police Department has a history of implementing policies and training aimed at reducing police use of force, removing implicit bias and furthering community engagement.”

The website further states, “The Orlando Police Department protects the safety of all individuals, regardless of race, color, ethnicity, gender, sexual orientation or identity, economic status, immigration status or any other personal characteristic or belief system. The OPD has a strong bias-free policing policy (1102.7), which requires that every person be treated with courtesy and respect. The department recruits a diverse workforce that is reflective of our community. Minorities and females make up 48% of sworn officers in the department.”

It is well known that a diverse workforce brings a wide variety of people with different experiences, skills, and viewpoints together to solve problems. Equity, diversity, and inclusion are essential to law enforcement operations and effectiveness. Diversity increases innovation, creativity, and strategic thinking because team of people who come from different backgrounds can draw upon their unique experiences and wider range of knowledge to spark new, innovative ideas.

All organizations should work to build and show evidence of a commitment to diversity. The OPD does a good job of displaying their commitment to diversity particularly with media clips on social media, like Facebook. They should look to increase and enhance this same message, also with additional community presence, on their citywide and police websites.

Employees often feel more comfortable and happier in unbiased and inclusive environments and tend to remain longer in their professions. Diversity refers to the traits and characteristics that make people unique while inclusion refers to the behaviors and social norms that ensure people feel welcome. Inclusion is what connects people to the organization and makes them want to stay. The department’s leadership must continually promote “inclusion” as an integral part of its culture and value. By focusing on retention, police organizations can address the needs of their current workforce while also boosting their ability to welcome future underrepresented employees into a more inclusive workplace.

The department collects data on ethnicity and gender applicant flow through each of the 12-step hiring process. It is unclear when the last adverse impact study was completed, analyzing if there was any disparate impact at any of the stages. It is recommended that this be done, at least annually.

Table A 19 OPD Retentions

Year	Opening Head Count	Ending Headcount	Average Head Count	Average Years of Service (termination)	Average Years of Service (retirement)
2016	702	735	721	2	23
2017	734	714	724	2	20
2018	714	738	728	3	22
2019	734	773	740	2	22
2020	770	811	791	2	20

The department’s attrition/retention rates appear to be well within expected police department patterns.

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## Recruitment Officer Training

New members of the Recruitment Unit receive on-the-job training upon their transfer to the Unit. Required topics include EEOC, ADA, F.D.L.E. certification and hiring requirements and records maintenance issues. Other topics regularly include information on psychological testing, physical assessment testing, and civil service procedures. In addition, the Background Investigators receive formal training in background investigation procedures as provided by F.D.L.E., the Criminal Justice Institute or another recognized entity.

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### SELECTION PROCESS ELEMENTS

The Recruitment Standard Operation Procedures indicate that all elements of the selection process are required to be administered, scored and interpreted in a uniform manner. This SOP section provides a general guideline that introduces each step of the recruiting and hiring process. The OPD provides a full list of selection process requirements on the department's website. Applicants should know what to expect about the process if they access the website during their research. There is also ample information about the department's fringe benefits package. There is a drop-down screen for Frequently Asked Questions (FAQs) with additional helpful information.

The department provides a full list of eligibility requirements on its website– all within generally accepted police practices. Applicants can complete an on-line pre-application form to determine whether they would initially qualify. Applicants then take a Civil Service and Physical Assessment Test (PAT). The website provides a link to a practice test for Civil Service and minimum qualifications for the PAT. If the applicant passes both tests, they are scheduled for a panel interview with the recruitment staff. The background investigation and the first of two polygraphs are the next steps of the process. Once passed, the applicant is scheduled for an interview with the Chief of Police. Successful candidates at this stage receive a conditional offer of employment. Once an applicant receives the conditional offer, they complete a medical exam, psychological assessment by a certified professional, and must pass a second polygraph test.

Applicants who have an unsuccessful interview with the Chief of Police can re-apply after a six-month waiting period. Anyone passing the last steps of the process will either attend the Police Academy as a non-certified recruit or start a police orientation for certified officers.

The process states that the second polygraph may concern itself with questions of a medical nature and may cover areas of concern revealed in previous interviews or throughout the background investigations. The post-offer polygraph is to be administered prior to the medical exam. After the post-offer polygraph, the polygrapher will give the applicant a sealed envelope containing their completed medical history form. The applicant is instructed to take the sealed envelope to their medical exam appointment and give it to the medical staff before their exam is administered.

Public safety agencies, such as police departments, fire departments, corrections, etc. may, as a matter of federal law, utilize polygraph testing both for preemployment screening and for purposes of employee discipline or discharge. The purpose of the polygraph is to verify the information that you have already been provided as part of the background investigation. Another reason for the test is to find out information about an applicant that may not have been openly provided by the applicant. One of the key factors the department wants to determine is if the applicant is an honest person with integrity. These are vital traits for police officers. This is why many agencies go to great lengths in determining which applicants have these attributes.

A 1995 survey concerning the use of pre-employment screening of applicants via polygraph testing in 626 U.S. law enforcement agencies revealed that 62% of them used the polygraph during the hiring of new officers. A national survey of practices, policies and evaluative comments on the use of pre-employment polygraph screening in police agencies in the United States.<sup>76</sup>

Estimates of the validity of polygraph testing as a method of lie detection range from 90-95% by proponents of the polygraph to as low as 61% in a [1997 survey](#) of 424 psychologists.

As a consequence, in *U.S. v. Scheffer*, #96-1133, (1998), the U.S. Supreme Court stated, “There is simply no consensus that polygraph evidence is reliable.” In that case, the Court ruled that polygraph evidence was properly excluded during a court-martial; that its exclusion was not arbitrary, and that this did not impair the defendant’s right to present a defense.

This department relies heavily on the polygraph as part of its selection process- requiring all applicants to take two polygraph tests – pre and post conditional offers. We believe it is beyond the scope of this review to address in detail the questions that may or may not be asked during a polygraph examination. The review concludes that the department uses trained and certified polygraphers and requires compliance with applicable federal, state, and local employment discrimination laws that protect applicants and employees on the basis of race, sex, national origin, religion, age, sexual orientation, disability or other protected categories or statuses.

The Physical Abilities Test (PAT) of Florida is consistent with the National models and industry standards and locally validated based on statewide statistics. Components of the test were designed to simulate actual tasks and essential knowledge, skills, and abilities required of the job and are conducted in a continuous flow manner that is time dependent in order to determine the participant’s level of physical condition and aerobic capacity while simulating the physical aspects of the job. These skills were identified through job task analysis and a review of a critical job responsibilities requiring physical proficiency. The following primary components, in order to simulate essential functions of an entry-level criminal justice officer, were identified and incorporated into the PAT:

- Exiting a vehicle/opening a trunk
- Running 220 yards
- Completing an obstacle course
- Dragging a 150-pound sled
- Obstacle course
- Running 220 yards
- Dry firing a weapon six times with each hand
- Placing items in a trunk/entering a vehicle

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### Panel Interviews by Recruitment Personnel

These interviews are conducted by RAP officers as a precursor of applicants being assigned a background investigator. The title of this part of the selection process is misleading, as this is actually a one-on-one interview with trained RAP-selected employees. The interview includes structured questions to determine whether the applicant will meet civil service requirements, and it is conducted prior to the full background investigation.

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<sup>76</sup> R. Messig & F. Horvath, *Polygraph* 24(2): 57–131 (1995).

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## Background Investigator OPD Qualifications

The SOP states that a Background Investigator must be able to conduct thorough investigations into the backgrounds of perspective candidates for police officer. They must be able to research, compile and organize data, investigate discrepancies and/or questionable information to be presented to the Chief of Police. The Background Investigator's work is performed under general supervision and performance is reviewed while in progress and upon completion through reports, discussions, and results obtained.

Qualifications for the position include: an Associate's degree in background investigations with six months experience; or an equivalent combination of education, training, and experience. Computer skills and office equipment knowledge is required. The position requires a valid Florida Driver's License and a background investigation certification from the State of Florida must be obtained within 90 days of employment/or assignment. Part-time Background Investigators are required to pass police background investigation, which includes a polygraph. The department has one full-time Background Investigator and two part-time positions, and all of them must meet the minimum requirements required for the position.

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## Background/Selection Processes

Background Investigators make requests from department resources for various background information. There are online resources for criminal history checks, reviewing the D.A.V.I.D. system for driving history, or CCIS (Comprehensive Case Information Systems) to check Myclerk in Florida for civil and criminal cases, FDLE's ATMS (automated training management system), and FINDER databases are some of the various resources to check backgrounds. They also utilize the internet, Google searches, and social media to also check applicants. Applicants' fingerprints are run for criminal history through the Identification Unit within the department.

The background process can take between 60 to 90 days, depending on the depth of history of each applicant. There is an internal review system at various parts of the hiring process. For example, once an applicant completes the application process and is selected to take the Civil Service Test, first Physical Agility Test, and have their panel interviews, they then "round table" all the applicants who passed and pick the most qualified ones to move on in the process. The Unit employees relay they "have an open discussion regarding the applicants, compare them, and come to a mutual agreement on those applicants who will move forward in the process.

The hiring process appears very extensive and thorough. Employees report there are generally not many disagreements over candidates at the end of the process. If areas of concern arise in the background investigation that may be questionable, there is further discussion on civil service codes and meeting qualifications for employment. If there is still any question about a candidate, unit supervisors will follow the chain of command, to include the Professional Standards Lieutenant and Captain, and come to a consensus.

Depending on the issues, which is rare, supervisors will consult with our legal team, and/or internal affairs section to make sure we are keeping up with best practices and making well rounded decisions when selecting the best possible, most qualified applicants.

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## TECHNOLOGY IMPROVEMENTS

The background investigation is one of the most critical elements in the hiring process of new officers. Background investigators play an important role, not just in screening and evaluating candidates, but also in shaping the "culture" of an agency. The department receives hundreds of applicants per year, often with a small number of the applicants reaching the background investigation stage.

These software packages also provide background investigators with additional tools to efficiently perform their jobs. One evident value is the capability to log in anywhere and review information in the background file from a desktop or mobile device. Clearly this is an improved process, rather than printing and sharing large paper files, and assessing cases one reviewer at a time.

Software systems make it easier to respond to applicants and to request additional information from applicants or references when needed. Applicants can quickly and easily submit information, and agencies can review and respond to that information rapidly, versus having to wait for the applicant to e-mail the information or deliver the information in person.

A cloud-based system with a single access point, allows supervisors to easily access files for progress and it assists the background investigators in compiling and presenting a comprehensive file for each applicant, as well as having all the information in one place. The system tracks all activity on each background file and provides useful reporting and alerts for missing elements or approaching deadlines. The applicants appreciate the ease of use and convenience that comes with using a digital system.

## XII. OFFICER TRAINING APPENDIX

### ASSESSMENT BACKGROUND DETAILS

To conduct the initial review, a request was made to OPD to forward all training-related policies, procedures, manuals, lesson plans, testing protocols, training calendars, etc. for review. The following policies and training documents were reviewed:

#### Recruit Academy

- Florida Law Enforcement Academy, Florida Basic Recruit Training Program Recruit Workbook, v. 2020.07
- Florida Law Enforcement Academy, Instructor Guidebook, v, 2020.07
- Crisis Intervention, Criminal Justice Advanced Course, No. 053 (In-Service)
- Valencia College Academy Calendar, Recruit Class No. 68-2020-2020-05
- Florida Law Enforcement Academy Curriculum Hours Break Down Matrix, Volume 1 and Volume 2
- CJSTC Course Catalog for Active Commission In-service Courses
- Florida Law Enforcement Academy, Florida Basic Recruit Training Program, @2021 by the Florida Department of Law Enforcement, (\*new curriculum)
- Curriculum Track Changes Document, CJSTC-21
- Florida Law Enforcement Academy Basic Recruit Training Program Overview

#### OPD Training Files (Lesson Plans, SOPs, Manuals, Polices, etc.)

- Lesson Plan (LP) Active Threat – Single Officer
- LP- CID – Presenting Concealed Firearm
- LP- Defensive Tactics
- LP- Community Service Officer
- LP- Legal Update training 2019
- LP- Taser Update – Transition to X2
- LP- CPR Block Training – Annual Recertification
- LP-Response to Resistance – In-Service Supervisor 2019
- LP-Response to Resistance – In-Service Supervisor 2018
- LP-Handgun Qualifications Part 5
- LP-Taser X2 Transition from X26 Taser
- LP-Handgun Mounted Flashlight
- LP-AR15 - Part 96 – Drills
- LP-Defensive Tactics – 2018 Part 20
- LP-Building Searches – Part II 2018
- LP-Defensive Tactics – Part 10 2018
- LP-Shotgun Qualification
- LP-Handgun Low Light
- LP-Mental Health First Aid
- LP-Defensive Tactics – Part 10 2013
- LP-Fair and Impartial Policing, 2012 Power Point, Lori Fridel
- LP-Mental Health and Officer Wellness
- Standard Operating Procedures – Training Unit, Feb 2017

- Public Summary Report – Florida Laws on Communications with Law Enforcement
- Field Training Officer (FTO) Schedule
- FTO Daily Observation Reports LEFTA Sheet
- FTO Checklists – 4 Phases
- FTO Manual, 4-14-20
- Response to Resistance FTO Criteria – LEFTA
- Accreditation Letter – FDLE, September 2015
- Accreditation Report - FDLE, September 2015
- Roster Contact Report
- 1501.01: Crisis Intervention Policy
- Report: Overview of Citizen/Police Interactions 2019
- Analysis of Traffic Stop Data 2019
- Intelligence Briefing Power Points
- 1128.17: Response to Resistance Policy
- Rapid Response Training for Instructors – Checklist
- Rapid Response Training Scenarios – 10 Separate Scenarios
- LP-Rapid Response – Scenarios for de-escalation, traffic stops, high risk traffic stops, building searches.
- LP-Crisis Negotiation Training – 14 files

During and after this initial policy and training document review, the following OPD and Valencia College Training Center personnel were interviewed:

- Acting Commanding Officer, Professional Standards Bureau
- Manager, Training and Recruitment Section
- Officer-in-Charge, Field Training Unit
- Officer-in-Charge, In-Service Training Unit
- Valencia College Training Center (Retired OPD Deputy Chief)
- Valencia College Training Center, Retired OPD
- Valencia College Training Center, OPD Instructor (on loan)

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### Recruit Training Positives

The Academy successfully fulfills its primary mission, which is to provide basic recruit instruction and prepare its students to pass the CJSTC final exam and obtain a State of Florida police officer basic certificate. The Academy is highly structured with most training days beginning with classroom instruction on various learning domains (values and ethics, legal, interactions with diverse communities, calls for service, etc.) and ending the day with defensive tactics and physical fitness.

The curriculum is professionally written by Subject Matter Experts (SME) and formally published so that each recruit officer is given a 591-page detailed student workbook to read before and after the classes are taught. A separate 460-page Academy Instructor Guidebook is given to all Academy instructors to prepare them to teach each class. The CJSTC realized that the current curriculum needed more training on topics such as bias-free policing, de-escalation, procedural justice, community policing, and fair and impartial policing, etc. They established a committee to re-write the curriculum with an established goal to require all State of Florida Academies to begin teaching the new curriculum no later than July 1, 2021.

#### Field Training – Orientation Program Positives

OPD invests a considerable amount of time (eight-weeks) ensuring its recruits get the agency-specific and tactical training needed to be successful officers. OPD has excellent training facilities and a well-trained and committed staff of instructors who appear to take pride in providing training. The firearms ranges are some of the best in the State of Florida and the OPD scenario village designed within the training facility allows for numerous realistic home and office configurations (can move the wood constructed rooms around into different configurations) to conduct scenario training. The orientation program is highly structured with baseline classes upfront such as crisis intervention, LGBTQ, social media, and response to resistance followed by tactical classes and ending with scenario-based training.

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## Field Training -- Officer Program Positives

This FTO model has been around for over forty years and numerous police agencies across the country use it to train and evaluate their recruit officers. It requires documentation of recruits in Daily Observation Reports, completion of a detailed 24 category checklist at the conclusion of every phase of training, and a Supervisor checklist completed weekly. OPD has an incredibly detailed FTO manual (102 pages long) that explains the policies, procedures, and structure of the FTO program.

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## De-escalation Training Positives

Both the Academy and OPD believed that they have been teaching the principles of de-escalation training for a long time. They admitted that they did not always use the term “de-escalation” in their *written curriculum*, but in fact understood and taught basic de-escalation principles. They both realized that they needed to identify where in their curriculum the de-escalation training principles were located and change the name so anybody reviewing could easily confirm. Efforts are underway from both entities to re-write their curriculum to this standard.

The new Academy curriculum will be requiring the recruit’s to not only address communications skills but also debrief the learning activities on emotional intelligence, empathy, procedural justice, power imbalances, serving your community, and de-escalation. The new Academy curriculum also added a section on “Escalation, De-escalation, and Disengagement.” It defines each of these actions and stresses that officer’s choices are based upon the person’s actions and that the goal is achieve compliance. It further states “using effective communications on your part can de-escalate a situation.”

The review of OPD training documents revealed it does offer many training classes on topics that are generally associated with de-escalation such as Crisis Intervention Training (CIT), Crisis Negotiation Training (CNT), and conflict management and conflict resolution. They also reinforce training competencies associated with de-escalation such as improving communications skills and teaching how to understand and apply use of force options (response to resistance).

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## Community Policing Training Positives

The OPD does not have direct control over training. The Academy’s old curriculum on community policing and engagement was basic and traditional. It focused on interactions with diverse communities (people with disabilities, crisis situations, etc.) and with the community’s perspective while handling calls for service. The new curriculum addresses community policing much better, but still lacks presenting a community policing model or philosophy for the recruits to learn. OPD does not teach a community policing model or philosophy in the Orientation Program and only uses two separate community forums with community leaders and LGBTQ members to address this topic.

The new Academy curriculum was based upon a 2017 published report titled: “Community Safety Report: Strengthening the Bonds of Trust Between Law Enforcement and the Public.” Clearly, CJSTC realized they needed to teach their recruits more community policing and create a lens for the recruits to embrace this important topic. They chose two major themes, procedural justice and serving the community, as the lens for the recruits to visualize the topic. The 11 sub-themes incorporated into the Academy curriculum further support community policing principles.

The new Academy curriculum stresses that procedural justice increases public trust. It points out that research shows that improving police legitimacy is more effective in reducing crime than traditional fines and imprisonment. Using procedural justice principles to increase community partnerships leads to reduction in crime and improves community safety. The new Academy curriculum also stresses the need to provide bias-free policing. It encourages the adoption of fair and impartial principles to prevent bias. Bias policing destroys the public’s perception of the police, leads towards less cooperation, and less legitimacy. The new Academy curriculum explains that the painful history of policing in this country has led some community members to view the police as a threat and not as *protectors*. Finally, the new Academy curriculum explains the community’s expectations of officers. They expect officers to be courteous, efficient, accessible, treat people fairly and with consideration and compassion. It explains that officers should get to know the various cultures within a community and not stereotype them based upon limited and filtered personal knowledge of the community.

## Develop community policing into training philosophy

OPD members stated their belief that positive communication skills were something that was better learned on the street during field training officer (FTO) training and reinforced through supervisory review. Some of the FTO's we spoke with noted recruits often lacked communication skills due to generational characteristics. For these recruits, FTO's believed that they spent "too much time on their phones" and lacked the ability to converse in-person. As a result, FTO's would instruct them to speak with random community members in a non-enforcement capacity. For instance, one FTO informed us they would tell recruits to approach a community member and find out their favorite color.

Related to street training, some supervisors noted the benefit of using body-worn camera (BWC) footage as a teaching tool and that going through the exercise is "well-received" by officers. However, these were not formalized reviews ("most of the coaching will be on-scene") and sergeants noted that reviews were not included as part of any formal evaluation process. While reviews of street interactions certainly provide a training opportunity for members to hone their skills, members' knowledge base should be expanded beyond that of their FTOs and sergeants. OPD informed us that these skills are routinely measured as part of evaluating officers' performance during scenarios and the simulator exercises OPD members presently undergo appear to confirm this. However, to practice something for which a person has received no refresher classroom training on is difficult. Additionally, it is likely that elements of community engagement and procedural justice are included in other trainings without being the primary focus of the training. Our assessment primarily looked at stand-alone modules with the primary focus being on these skills.

In several interviews, members questioned whether positive communication and community engagement could be taught. The assessment team understand members' concerns about formalizing positive communication and community engagement in such a way that it comes across as forced, though prior research has demonstrated that officers can be sufficiently taught to convey elements of procedural justice<sup>77</sup>. We also note that the elements of procedural justice were included as part of a broader training on bias-free policing. Similar to the ways that physical skills are first explained and then practiced reinforcing muscle memory, communication must be explained using current concepts before being practiced in a scenario situation.

## XIV. EARLY INTERVENTION PROGRAM APPENDIX

An early intervention system is essential to identify conduct by officers that may be an indicator of a training deficiency, a pattern of uncorrected misconduct, or a personal issue that might impact the ability of the officer to perform her or his duties.<sup>78</sup> The identification of risky and problematic trends in officer behavior before a serious incident occurs can prevent harm to community members, avoid erosion of community trust, and protect the Department from liability. An early intervention system is a tool used to track officer activities, including uses of force, external community member complaints, stops, and arrests, domestic violence allegations, missed court appearances and other conduct. While the system is not designed to impose discipline, it can often identify training needs or the need for other interventions, including promoting officer wellness. OPD uses IAPro as its early intervention platform. Currently, the department uses basic triggers such as the number of supervisor referrals or complaints that occurred within the last three months. However, OPD is working to create more sophisticated early intervention triggers as it shifts to the BlueTeam system.

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<sup>77</sup> Mazerolle, et. al. (2012). "Procedural Justice, Routine Encounters, and Citizen Perceptions of Police: Main Findings from the Queensland Community Engagement Trial (QCET). *Journal of Experimental Criminology* 8, No. 4, pp. 343-367. Wood, Tyler, & Papachristos, 2020; Rosenbaum & Lawrence, 2017

<sup>78</sup> Best Practices in Early Intervention Systems, available at <https://www.policefoundation.org/publication/bestpractices-in-early-intervention-system-implementation-and-use-in-law-enforcement-agencies/>.

To conduct an evaluation of OPD's EI program, the assessment team reviewed and performed the following steps to understand the EI program policies and practices:

- Early Intervention Program 2207.3 policy
- EI program files and supervisor's reports documenting review of EI alerts and applied interventions
- The EI program's software capabilities and functionalities
- Interviews with OPD personnel responsible for managing the EI program and ensuring that supervisor's handle the review of EI alerts and determine appropriate interventions
- Interviews with OPD supervisors responsible for the review EI alerts and determine appropriate interventions and post-intervention monitoring for their subordinate officers
- Interviews with OPD officers who may be the subject of the EI program including receiving EI alerts and interventions as well as post-intervention monitoring

Currently, OPD is in the process of transitioning from AIM to IAPro and EI Pro for its early intervention platform. Per OPD's EI Program 2207.3 policy and in practice, performance indicators tracked by the EI program include the number of supervisor referrals, formal internal complaints, use of force incidents and police shootings, and claims, litigations, and lawsuits that occurred within the last three or twelve months. However, OPD is working to create more sophisticated early intervention program such tracking additional performance indicators and including work assignments so that the EI Pro system can conduct peer analyses across officers, partners, shifts, geographic areas, among others, for OPD to identify patterns and trends in at-risk officer behavior. While OPD should be commended for the efforts made in their EI Program to date, there are certainly areas for improvement that need to be considered and addressed.

The assessment team discussed with OPD personnel that the transition from AIM to EI Pro will allow the department to conduct peer analyses across officers, partners, shifts, geographic areas, among others, for OPD to identify patterns and trends in at-risk officer behavior. Peer analyses will also allow supervisors to examine allegations of biased policing, which is a grave concern for any department. Agencies should take every effort to ensure they track and review all officer interactions that could lead to a claim of biased policing, including identifying patterns and trends based on EI alerts from their EI Program.

The supervisor, using an early intervention system, may observe the officer's productivity has decreased in arrests and traffic stops while the officer has demonstrated an increase in sick leave, missed a court appearance, received a citizen complaint, had a vehicle collision, lost a piece of equipment, and been counseled by a supervisor. Although there may only be one instance or two in each of those areas, the culmination of alerts and the type of performance measures signaled can indicate substance abuse problems. Officers may also suffer from post-traumatic stress syndrome due to the nature of their work. Many of those officers and their supervisors fail to recognize PTSD and would not know how to get help for themselves or their subordinates even if they did recognize it. An officer experiencing anger management issues may be the subject of EI alerts for use of force, a restraining order, a criminal investigation, a lawsuit, a citizen complaint, excessive sick leave, and counseling by a supervisor. Although there may only be one instance or two in each of those areas, the culmination of alerts and the type of performance measures signaled can indicate anger management problems. EI alerts in each of the areas have the potential of identifying officers in need of intervention.

OPD personnel acknowledged that they were considering including more performance indicators in their EI program. In addition, the assessment team talked with OPD personnel about some of the thresholds that could be improved as well as OPD considering a combination threshold that creates an EI alert when a certain number of any of the performance indicators occurred within a specified time frame. The assessment team offers these recommendations below for OPD's consideration, which if accepted, would need to be included in OPD's Early Intervention Program 2207.3 policy and program, as well as the messaging and training of this program and the processes and practices.

Legitimacy in policing emerged from the work of Tom Tyler on procedural justice theory, in which he argued that police behaviors that demonstrate “fairness” ultimately increase the perceived legitimacy of the police individually and as an institution. Increases in perceived legitimacy leads to increases the public’s voluntary cooperation and compliance to police authority and commands. Increased compliance and cooperation with police not only improve public safety outcomes (e.g., witnesses voluntarily working with police), but also improves police officer safety. Increased positive attitudes toward police, then, can increase public safety and citizen’s satisfaction with their communities and their governmental representation. If legitimacy is the belief that police should be allowed to exercise their authority in the community, then procedural justice is an approach to policing that increases perceptions of police legitimacy. Procedural justice includes four main tenets and in theory, if police structure their interactions to include them, the community will see the police as legitimate: voice, neutrality, respect, and trustworthiness. Another key goal is to learn about how police services could be improved through a brief targeted survey, and thus suggested the creation of a survey about police services to the Mayor's Office.

In the years prior to this engagement, the City has developed several “always-on” surveys to measure customer experience, trust, and satisfaction with more than 60 city services (i.e., the City aims to always have a single survey live on its website). The City has also conducted a web feedback survey that measures satisfaction with the city’s website. Both surveys have been available online at <https://www.orlando.gov>. In addition, in the past two years the City successfully conducted about 15 brief targeted surveys to measure satisfaction with specific City services.

- In addition to recommending smaller changes, the team talked to the City about changing its methodology for solicitation. Because of the way the data is being used, methodology is not a consideration for the validity of the findings, and the goal is a higher response rate, even if that means distributed the survey in multiple different ways. Given that Orlando is paying postage for each post card and does not have an unlimited budget, we discussed the possibility of having officers hand out solicitation cards at the end of an interaction. In addition, the team discussed the possibility of having officers knock on doors to proactively engage residents, asking officers to have conversations with residents about their concerns before giving them a card to solicit their participation in the survey. We discussed using email addresses to solicit responses, but the current data captured by OPD does not include email addresses. Finally, we discussed directly soliciting individuals that had participated in community-police “training” sessions where the community members had provided email addresses. This option was the best first step, given that they only had to access a list of email addresses that already existed, and the City agreed they would explore this approach in more detail.
- In addition, our team talked about the process to have an OPD officer follow-up after the survey. The City ensured that their process was in place and working. We discussed how important it was to ensure that the follow up happens in order to help build community trust.
- Since that conversation, the City made slight changes in design of the postcard to the third wave of recipients (distributed at the end of March), but it appears that the original postcard design received a better response rate. The newer postcard consolidated the main messaging about the survey and the invitation on the same side (original version was two-sided). Other ideas that were discussed have not been pursued to date but may be in the future.

The dashboard approach by the City is unique and it will be interesting to see how the data is ultimately used. A statistical analysis would provide very different set of findings, but the City is using data visualization in a way that allows them to “drill down” based on their goals for any given analysis. This approach is inductive and may lead to novel recommendations that may be better suited to the specific goals of their community and other stakeholders. As an example, the team walked through some specific observations to try to understand how the data could be used. Specifically, the data revealed that victims of vehicle burglaries (vehicles broken into and items stolen) were unhappy with police. We discussed possible reasons why this might be the case. With vehicle burglaries, there is often a lack of evidence, like fingerprints, so most cases may go “unsolved.” Officers may be aware of this when they are responding to a report of a vehicle burglary and perhaps unknowingly express their pessimism about a positive outcome (items recovered). Officers also often told victims that they would be contacted by detectives but that contact never happened.

## XVII. COMMUNICATIONS ASSESSMENT- PIO APPENDIX

This section of the report details findings and recommendations from this communications assessment. We begin by highlighting areas of strength for OPD, followed by findings and recommendations for areas for improvement as it relates to policy, procedure, and practices.

New staff within Public Information Office have improved OPD's distribution of information over the last year.

The OPD staffed its Public Information Office entirely with civilian personnel in early 2020 to ensure a more consistent approach to its public messaging. In March 2020, two media professionals from the Orlando media market replaced the law enforcement supervisor who previously oversaw the office. The office is now composed of a Media Relations Manager and a bi-lingual Assistant Public Information Officer. The new staff is highly motivated and skilled which has resulted in a more proactive approach to sharing stories about police activities, programs, and operations in the local media and on social media. The team has made great strides in digitally engaging the community, which can be the first step toward connecting with members of the community who may not ordinarily interact with law enforcement.

The local media views the agency as more open and accessible since this reorganization and the release of information is quicker than when sworn personnel oversaw public information. This applies to in-progress or breaking news, as well as responding to media requests for information and interviews.

The new team created a soundproof television studio at the police department, complete with a camera, teleprompter, lighting, a green screen for backgrounds, and editing equipment. Establishing the studio has streamlined efforts to interview officers and share their stories via social media and with the local media. Most recently, the Public Information Office started bi-weekly live morning show interviews in the studio on the ABC Affiliate, Eyewitness 9, and a Spanish media outlet, Univision. In January 2021, OPD highlighted the upcoming Hispanic Citizens Academy and the Junior Reserve Law Enforcement Academy as part of the new arrangement. The studio is also used to recording professional messages from the Chief of Police to his officers and employees.

OPD's communications strategy has focused on generating a high volume of proactive stories and has begun to leverage social media effectively to do so.

The Public Information Office is generating a plethora of proactive stories on social media and in the local media. A recent example is the link below from a local television station that highlights building a team approach to the crime fight with officers and community members working side-by-side to improve neighborhoods.

<https://www.clickorlando.com/getting-results/2021/02/17/orlando-police-officers-become-problem-solvers-as-they-address-complaints-concerns/><sup>79</sup>

The Media Relations Manager established the following four basic focus areas for messaging:

- o *Community Engagement and Causes: The Public Information Office works closely with the OPD Community Relations Division and the Neighborhood Patrol Unit. This area generates a significant amount of social media content, from turkey giveaways and shop with a cop, to cleaning up a monument honoring the first two Black Officers at OPD.*

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<sup>79</sup> Orlando Police Officers Become Problem Solvers as They Address Complaints, Concerns (video file). (2021, February 17). Retrieved from <https://www.clickorlando.com/getting-results/2021/02/17/orlando-police-officers-become-problem-solvers-as-they-address-complaints-concerns/>

- *Policy Review and Changes: The Public Information Office cultivates stories focused on department improvements in operations, technology, recruiting, or training, such as the new 4k simulator used for de-escalation training and situational awareness techniques. The department invited community leaders, the Citizens Police Review Board, and the media to try the new tool, which generated considerable publicity.*
- *Public Safety: The Public Information Office works to develop stories that showcase how OPD is keeping the community safe. The content of these stories varies from home security checks, crossing guard efforts, and Driving Under the Influence (DUI) Campaigns to holiday shopping warnings.*
- *Officer Successes: The Public Information Office shares stories with the local media and on social media, focusing on police work, such as noteworthy arrests, gun seizures, lifesaving awards, or community members working in concert with police to solve crimes.*

While the above-mentioned focus areas are useful to the agency and have generated considerable proactive coverage of the department in the local media and social media, the next step in strategy progression is understanding the community's priorities for its police department and incorporating those into the department's mission and goals to communicate these shared priorities in all forms of external and internal communication. This should include a plan for targeting disenfranchised community members who often live in the more heavily policed areas. If the community believes OPD shares its values, priorities, goals, and concerns, it creates an environment where mutual trust can grow. This can lead to increased information sharing about crimes and ultimately improve officer safety.

A key element of this type of collaborative communication is believing the community deserves to have a voice in every aspect of the police department, from new policies to new equipment and technology, training curriculums, or police operations. Before a new program is deployed, the executive staff and Public Information Office should collectively answer the following questions:

- How do we communicate this to our community?
- How do we get the community involved?
- How do we let the community know that we are actively listening, and we value their input?

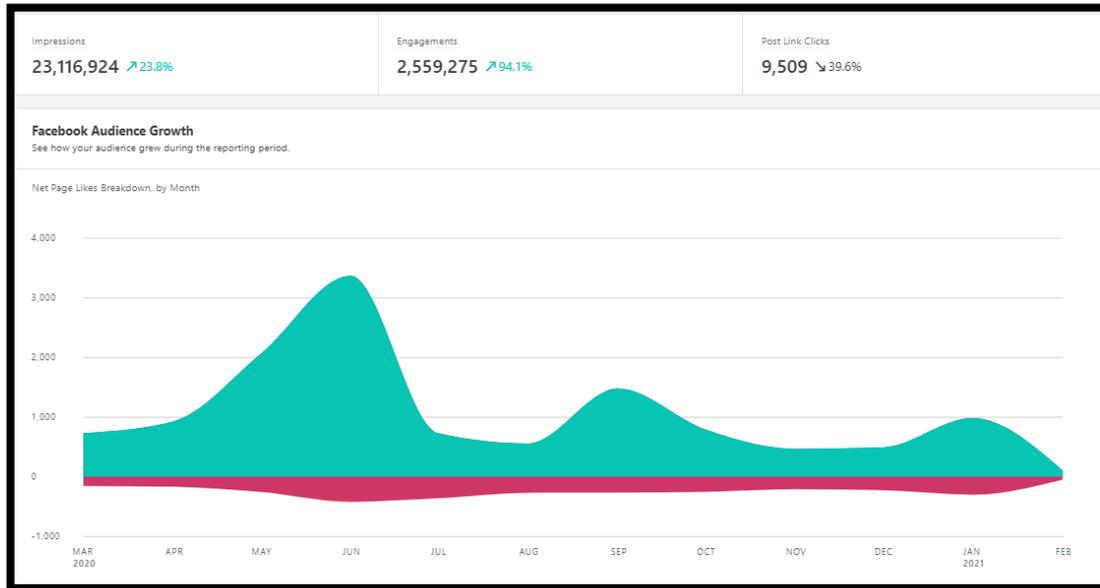
The current strategy has focused on generating a high volume of proactive stories. These play a valuable role in telling the agency's story and increasing community engagement. According to Sprout Social, a social media tool the department uses to manage its various platforms, the number of people following and interacting with OPD's posts is growing exponentially, as shown below for Facebook, Twitter, and Instagram. Followers of all four social media platforms have grown at an impressive rate since the team started in March 2020. But the most significant accomplishment is increasing the department's engagement by more than two million encounters on both Facebook and Twitter while the newest platform, Instagram, reached just under a million encounters for the same time frame.

OPD does a good job of posting content specific to the personality profile and following of each social media platform. Media Relations depends on Twitter for breaking news and in-progress events, while Facebook is used as a family photo album, telling the agency's stories. The PIO relies on Instagram to reach a younger demographic and the Hispanic population by sharing compelling photographs and videos. YouTube is used as a vehicle for sharing videos.

## Facebook, March 2020 to January 2021

- Engagements increased 2,559,275 - 94%
- Impressions increased 23,116,924 - 24%

Figure A 54 Facebook

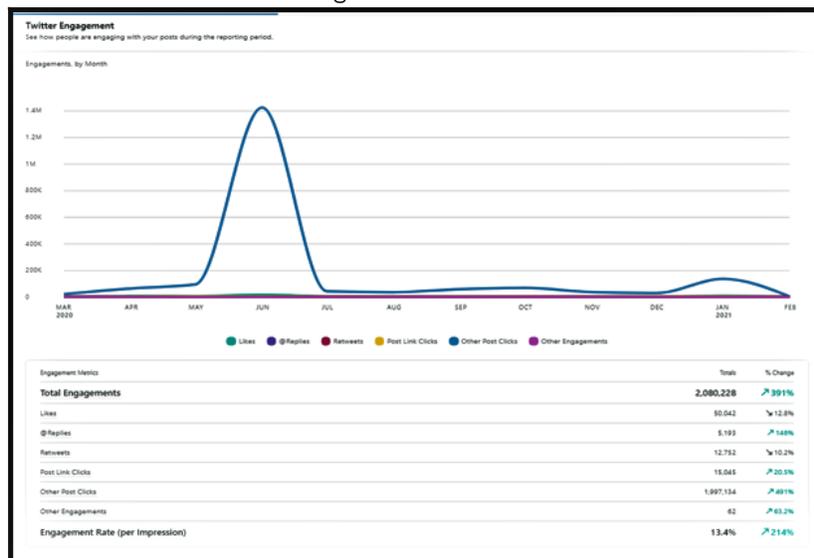


## Twitter, March 2020 to January 2021

- ◀ Total Engagement Increased 2,080,228 - 39%

This number shows how many people are reacting, sharing, or commenting on content, which is a first step in building community relationships.

Figure A 55 Twitter



## Instagram, March 2020 – January 2021

- ◀ Impressions Increased 991,419 - 42%
- ◀ Engagement Increased 39,400 - 42%

Figure A 56 Instagram



OPD has focused more on content volume and less on the strategic priorities of the OPD, City, and community collectively. The recommendations are designed to help this highly motivated team grow to the next level of community engagement and strategy.

OPD has limited written material documenting policies and processes for the Public Information Office, including policies for handling critical incidents.

The Public Information Office follows OPD Policies 1635.1 *Social Media* and 1632.0 *Orlando Police Website*, as well as a *Social Media Guide* posted on each City of Orlando social media platform and an internal memo delineating communication duties. These provide limited basic direction for the office and lack any editorial direction or strategy. While formalizing daily operations is a necessary step, the department should first focus its attention on a crisis communication plan.

A comprehensive and strategic approach to communication is essential for keeping community members informed and engaged, but a department's handling of critical incidents can have a long-lasting impact on efforts to build mutual trust and establish productive partnerships for combating crime and improving the quality of life in Orlando. Therefore, the priority should be establishing a protocol for handling the messaging aspect of critical incidents. Formalizing the communication portion of these incidents will help the Chief or Commander overseeing the event to incorporate the public perspective, along with best law enforcement practices, into their decision-making.

OPD could improve consistency in its release of body-worn camera footage. If the incident is an officer-involved shooting, the agency waits for the state agency investigating shootings to finish its preliminary report before releasing the footage. This takes a minimum of thirty days but often several months. Sometimes the agency waits for the State Attorney's Office to complete its investigation, which can take six months to a year. The consistent and timely release of the body-worn camera footage involving an officer-involved shooting or another high-profile critical incident is critical, within the parameters established by state law.

The police department is the highest-profile department of the City, which makes it an important vehicle for illuminating City Hall's key priorities. The Media Relations Office must work in tandem with the City's Communication Team to ensure a unified message to the community. This report will explore ways to build a more unified approach to messaging to strengthen community relationships.

- ◀ **Further develop a written communication strategy with key messages to blend community priorities with the City’s goals and OPD’s efforts to carry them out.**
- ◀ **Create a written protocol for handling the external and internal messaging during critical incidents, including officer-involved shootings and incidents captured on body-worn camera video.**
- ◀ **Train either specific watch commanders or select supervisors as back-up public information officers to prevent burn-out in a job assisting the media, which works around the clock, seven days a week.**
- ◀ **Consider a written protocol for how watch commanders should handle after-hours media inquiries to ensure consistent handling of public information.**
- ◀ **Consider having the Public Information Team meet weekly with the Mayor’s Press Secretary, the Mayor’s Public Safety Advisor, and the City of Orlando Director of Community Engagement and Outreach.**

This meeting is crucial for ensuring the fast-moving machine of the Public Information Office is working in tandem with the City’s priorities. The Chief’s Executive Assistant should also participate in these meetings because she is drafting the chief’s statements and assisting with his Twitter account.

- ◀ **Consider having the Media Relations Manager maintain a Monthly Media Calendar that is discussed at the weekly City Communications meeting.**

At the end of every week, the Manager should develop a Week-Ahead Calendar and discuss it via a phone call with the Press Secretary.

- ◀ **Consider creating a videographer/editor position that will provide the Media Relations Manager more time to engage in long-range strategic planning.**

In December 2020, the Public Information Office covered thirty events in thirty days, which required the team of two to work every weekend. This level of demand on a small staff is not sustainable in the long term. Moving at this pace leaves little time for planning and thinking strategically about how best to communicate City Hall’s and the administration’s priorities and how to connect with the most disenfranchised members of the community. Two individuals are not sufficient to manage and execute the work of an effective Public Information Office that has such a large volume of work.

Staff within the Public Information Office could be further informed and educated on OPD philosophy, actions, and operations.

Law Enforcement is a unique subculture of a community that is known for its sense of family and loyalty to one another. This makes it challenging for professionals with valuable, but different backgrounds to be effective as change agents. The department should take the following steps to assist the Public Information Office in its understanding of police philosophy, actions, and operations.

- ◀ **Consider having the Media Relations Manager attend the chief’s staff meetings for a broader understanding of the agency and to share a different perspective with the policymakers that is more in line with the community perspective.**

This will create a two-way dialogue that is productive for the agency and the overall effectiveness of the Public Information Office. If there are concerns about the sharing of sensitive information, the employee can leave before certain topics are discussed, such as Internal Affairs Investigations or Promotions

- ◀ **Consider having the Public Information Office receive internal crime bulletins to be aware of cases that could generate media coverage of the agency. Early notification will allow the Media Relations Manager to plan proactively.**

Public Information Office staff spend too many hours weekly preparing surveillance videos for release.

The Public Information Office currently spends multiple hours a week converting surveillance videos from propriety software to a usable format for releasing video internally and externally. This is a time-consuming process that takes the media team away from its mission to connect with the community and has them spending valuable time doing the work of detectives.

The Public Information Office also spends considerable time each week transcribing all videos over one minute long for closed captioning. This is a slow, line-by-line, tedious process that takes the PIO's away from more pressing duties.

- ◀ **Have OPD streamline this video preparation process to assist with generating tips and combating crime.**
- ◀ **Explore purchasing a video downloading software so that the Criminal Investigation's Division can quickly convert videos to share with fellow officers and the public.**
- ◀ **Consider purchasing a closed captioning subscription.**

This is an inexpensive way to streamline city efforts to be compliant with the Americans with Disabilities Act.

External messaging responsibilities are divided within the OPD.

The Media Relations Manager was provided with an internal memo that assigns the media relations portion of the job to the Public Information Office but assigns social media oversight to the Chief's Executive Assistant. This bifurcation of external messaging is not efficient, nor does it leverage the breadth of knowledge and experience of the Media Relations Manager, who oversaw the social media for a local television station that dominates the market. The memo and the existing policies on public information do not address strategy or how to incorporate the Mayor's and Chief's public safety priorities into external and internal messaging.

- ◀ **Ensure the media relations and social media duties are both assigned to the Public Information Office to ensure the messaging is coordinated and consistent.**

The current communication practices for officer-involved shootings and other critical incidents ensure a swift response. However, current practices do not take into consideration the totality of circumstances, as there is no direct feedback from the media or community, which is readily available with former members of the local media working for the department.

Regarding OPD's communication practices when responding to officer-involved shootings and other critical incidents, the chief does not typically discuss the case with the Media Relations Manager before briefing the media. This is a lost opportunity to obtain a broader perspective on the police action taken at the scene. The Manager will have valuable feedback for the Chief of the media viewpoint, which is shaped by neighborhood interviews and possible witness interviews.

When the OPD is planning a news conference not involving urgent matters, the Public Information Office helps develop talking points for the Chief. This practice would be beneficial at in-progress events that have a tremendous impact on public attitudes and community partnerships with the agency.

- ◀ **Consider ensuring the chief and Media Relations Manager discuss the case before the media briefing to ensure the chief is aware of community concerns and questions about the incident.**
- ◀ This broader understanding could impact the chief's decision-making about the overall management of the case.
- ◀ **Consider having the member of the Public Information Office who responds to a scene draft a detailed news release after live-streaming the briefing.**
- ◀ **Consider archiving news releases on the City's website so that an account of what took place is available to the community and the next shift of media personnel.**

On occasion, the OPD shares information and releases of body-worn camera footage following critical incidents in a timely manner.

OPD could improve consistency in its release of body-worn camera footage. If the incident is an officer-involved shooting, the agency waits for the state agency investigating shootings to finish its preliminary report before releasing the footage. This takes a minimum of thirty days but often several months. Sometimes the agency waits for the State Attorney's Office to complete its investigation, which can take six months to a year. The consistent and timely release of the body-worn camera footage involving an officer-involved shooting or another high-profile critical incident is critical, within the parameters established by state law.

◀ **Establish protocol for consistent information-sharing and releasing body-worn camera footage following critical incidents.**

The consistent and timely release of the body-worn camera footage involving an officer-involved shooting or another high-profile critical incident builds trust and a sense of partnership with the community. It establishes a level of transparency and accountability that is paramount for productive relationship building.

◀ **Consider having OPD solicit feedback from community members to learn community expectations on the release of body-worn camera video.**

This information should be shared with the newly elected State Attorney, the Florida Department of Law Enforcement, and the Orange County Sheriff (who recently established a consistent protocol for releasing body-worn Camera video) to establish OPD's timeframe for releasing its video. This time frame needs to meet community expectations as much as possible while balancing the need to protect the integrity of an investigation.

The OPD Public Information Office outreach to marginalized community members is currently limited.

The Orlando Police Department's Public Information Office is diligent, thorough, and consistent in its efforts to inform the local media and to engage the community as a whole on social media. The next step in its growth would be communicating with marginalized community members who may not normally seek out information about the police department. Bridging the gap with this population is often overlooked by law enforcement, but police must focus on these relationships. Dialogue with these disenfranchised community members can help an agency evolve by understanding a different perspective on its actions that may be intended to help but can cause collateral damage.

◀ **Expand the media distribution list to include hyper-local media such as bloggers and other nontraditional online news services that target disenfranchised community members.**

OPD online portal systems are cumbersome and inefficient.

All members of the media interviewed complained about the length of time it takes to produce the requested records, including body-worn camera video. The media reported that if every news outlet is requesting the same document, the Public Information Office will make every effort to redact the document and provide copies on the same day, but this is an exception, not the standard practice. The media also complained that a user must know exactly what to search for by the appropriate document name because a general search will net zero results.

The agency also has an open government data portal labeled OPD Published Data that is cumbersome to navigate, making it challenging for members of the public or the media to access information.

◀ **Review OPD's online portal systems and the staffing that support this to determine if it can speed up the release of public records to working media.**

State law does not specify how quickly an agency should release documents. It merely says the agency must respond in good faith.' Releasing documents more efficiently would assist in building relationships with the local media.

◀ **Look for ways to simplify navigation on OPD’s general open data portal to make the agency and data more accessible.**

Only one officer is responsible for monitoring and responding to email inquiries, which can result in slow response times. The top of the OPD homepage displays the Contact Us email address [opd@orlandogov.net](mailto:opd@orlandogov.net). The assessor sent an email to that address, but after three business days had still not received a response. After inquiring, it appears the email goes to a single officer who naturally has time off, training days, and other duties.

◀ **Establish a system within OPD that involves more than one person and provides a consistent response time to community inquiries during business hours.**

This should include a process for ensuring emails are answered even when they are forwarded to another unit. A lack of response can deteriorate efforts to build productive relationships with the community.

◀ **Consider embedding Twitter and a link to news releases on OPD’s homepage.**

This makes it easier for community members and the media to learn about police activity, therefore making the agency more accessible. The news release section should serve as an archiving system of notable police activity.

The Commissioner Liaison Officer program varies in duties, goals, and expectations across the department, and is inconsistent in accountability efforts across officers.

One avenue of the Orlando Police Department’s community policing work is accomplished through the Commissioner Liaison Officer program. Each Liaison operates slightly differently based on the issues, demographics, and concerns of the area they serve. But they all report a sense of gratification that they are solving community problems and building meaningful relationships with the community. Their unique role gives them the ability to align the department resources necessary to solve neighborhood problems. If a community is experiencing problems related to drug activity, the Liaison Officer will alert the street-level drug squad, who will deploy resources to the area. The Liaison Officer position provides direct access to all department resources and to other community resources such as social service programs that address elder abuse, domestic violence, or homeless challenges. Depending on the nature of the problem, their role can switch from an enforcer of the law to more of a social worker, helping people in crisis connect to resources.

Although their duties vary, a general description involves officers conducting community outreach to build relationships, working to resolve complaints, and their efforts to prevent and solve crimes. They all describe the importance of breaking out of traditional police roles to help people and line up resources to resolve an issue. They report this interaction produces a healthy exchange of ideas that helps the community understand the police perspective and helps officers understand community perspectives. The Liaison Officers spend time getting to know the people who live and work in their district so they can understand the issues that concern the residents and their values and goals for their community. Liaison Officers use a variety of methods to achieve this connection, such as visiting locally owned business and neighborhood centers, attending neighborhood and business meetings, and generating content for the department’s social media pages.

Each officer spends time resolving complaints that come from a variety of sources, including the City Commissioner’s Office, the Police Department’s Neighborhood Watch Coordinator, Neighborhood Patrol Unit, or School Resource Officers in their district.

The Liaison Officers also dedicate substantial time to crime prevention and community engagement efforts. Those efforts include, among others, the following:

- Coordinate and host the Hispanic Citizens Academy.
- Conduct Crime Prevention Through Environmental Design (CPTED) assessments of homes and businesses.
- Help organize and coordinate community outreach programs, such as performing repairs on the homes of low-income senior citizens, food or toy giveaways, backpack drives, and more.

The Commissioner Liaison Officers use email for communication, and that serves as an important method of written accountability. But there is no way of tracking complaints, concerns, issues, or other data to determine patterns, trends or sharing successful methods for resolving complaints and problems.

- ◀ **Standardize the Commissioner Liaison Officers' duties, goals, and expectations for each district.** While these should be customized to each district, there should be overarching strategies that apply to all districts. This is important for measuring success, sharing it with community, and keeping officers focused on the priorities and motivated.
- ◀ **Have the Liaison Officers use an information-sharing platform for tracking complaints, efforts to resolve community issues, crime prevention efforts, and community outreach that the supervisors from each district and the Public Information Office can access.**

This type of data mining is critical for assessing community concerns and the department's responses, especially during the trying times law enforcement is currently facing nationwide. Using information-sharing software will make it possible to search based on the type of problem, the type of resolution, the geographic location, date and time, or other topics. Understanding these types of patterns and trends leads to an overall better understanding of the community and its values and goals for its neighborhood. It will also make it easier to identify success stories that can be shared with the Public Information Office. This is a vital step in keeping the community informed and engaged with its police department.

There is not a formal process or protocol for information-sharing between Liaison Officers and the Public Information Office.

Several of the Liaison Officers provide photographs and social media content from their district events to the Public Information Office. They also are a source of information to the Public Information Office about issues pending in the neighborhoods, but there is not a formal process or protocol for a regular exchange of information. Some officers monitor Nextdoor (a social platform that connects neighbors based on their location) as a resource for understanding community concerns. They typically do not post on the Nextdoor platform but will proactively reach out to an email group, contact a block leader directly, or post on a neighborhood Facebook page.

- ◀ **Hold a monthly meeting between the Commissioner Liaison Officers and the Public Information Office to formalize the flow of information between these two units. This will have multiple purposes and benefits.**
  - This will keep the Public Information Office up to date on pressing community concerns.
  - This will provide support to the Community Liaison Officers as they develop talking points on the most controversial issues and ensure consistency between districts on the issue.
  - This will also allow time for the two units to coordinate how to generate social media content for community engagement efforts.

This process will also help the Public Information Office to cultivate positive stories to share with the community about the daily proactive work of the Liaison Officers. These stories will capture examples of police and community working together, which is productive on multiple fronts.

- This can boost internal morale by letting officers see and feel support from the community during difficult times.
- The content may produce a sense of teamwork with the community.
- Stories on this teamwork may motivate more community members to get involved with their police department.

Currently, there is no system for quantifying or qualifying the Commissioner Liaison Officers' work.

Yet all the Commissioner Liaison Officers feel they are without a doubt making a difference in their district. They point to the way people treat them and engage with them as tangible evidence of their community policing efforts. These stories should be shared with a wider audience. Social media would be the natural choice for a force multiplier.

◀ **The department should consider establishing a formal protocol that establishes a pipeline of social media content development by the Commissioner Liaison Officers to the Public Information Office.**

Establishing a system for tracking issues and solutions will streamline efforts to resolve future issues, which keeps the community satisfied with its police department and reduces frustration for officers.

The final section of the Appendix will list a summary of recommendations for all sixteen (16) sections of the report.

## XXI. SUMMARY OF RECOMMENDATIONS

This report provides final observations and recommendations regarding the evaluation of the OPD.<sup>80</sup> Our recommendations in these sixteen areas strongly support the following goals:

### I. Embrace Community Policing as a department wide philosophy.

#### RECOMMENDATIONS: COMMUNITY POLICING

##### POLICY

- 1) Incorporate community policing principles, the community, and partnerships into OPD's mission statement.
- 2) Further develop a department-wide community policing strategic plan. Include action items, deadlines, measurements, and accountability components.
- 3) Ensure the mission and goals of the community policing units, programs, and operational strategies align with problem-solving techniques and feed into the Department's overall community policing philosophy and strategic plan.
- 4) Engage with officers and community members to discuss OPD's policies and training and allow opportunities for citizen input regarding policies and training when appropriate.

##### TRAINING

- 5) Communicate OPD's mission and goals, and the department-wide community policing philosophy, strategic plan, and program top down throughout OPD.
- 6) Begin teaching community policing in the orientation program and develop scenarios to train and test recruits on community policing and engagement.
- 7) Provide ongoing in-service training for community-oriented policing topics.
- 8) Institute a broader training requirement for the CPRB, including the requirement of members to conduct regular ride-alongs with OPD members to better understand their activities.

##### IMPLEMENTATION

- 9) Conduct proactive outreach when aware that organizations are holding an event or program.
- 10) Integrate community policing and engagement into all OPD member's daily roles and responsibilities.
- 11) Consistently develop, track, and engage community partnerships.
- 12) Have regular dialogue with the community on what its vision is for the role of police in the City of Orlando.
- 13) Ensure consistent outreach and engagement across organizations, groups, and individuals.
- 14) Consider holding workshops within the various patrol districts to solicit community feedback on trust building strategies.
- 15) Improve follow-up and implementation after collecting community input.
- 16) Ensure the concepts of procedural justice are part of police-community interactions including during traffic and pedestrian stops.

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<sup>80</sup> In general, throughout the report, recommendations are organized according to the following categories: Policy – Creating or amending General Orders, Standard Operating Procedures, organization rules and regulations that govern organization and individual practices, inputs, outputs and outcomes; Training- Formal and informal lessons and instruction designed to reinforce expected behavior and outcomes. May occur through mentoring, daily training bulletins, recruit, in-service or pre-service training, in person or by eLearning; Implementation- Taking action on or starting a program or process; Oversight/Accountability- Supervisory, management, and sometimes executive review and auditing activities, programs, products and outcomes against goals and expectations. Managing performance to achieve desired outcomes; and Data- Data collection, storage, analysis, and manipulation capabilities. Ability to apply data for predictive and evidence-based decisions. Value-enhancing technological solutions that optimize service delivery.

- 17) Institute fair and impartial policing principals into OPD's community policing and engagement strategies, and engage in efforts to increase actual and perceptions of accountability and transparency within the Department.
- 18) Institute a geographic policing model, assigning officers to predetermined geographic boundaries. A main goal is to maintain these assignments over time to forge relationships with the community, apply problem-solving methods to reduce crime, and improve the overall quality of life.
- 19) Engage in sincere community outreach efforts.
- 20) Develop and apply problem-solving metrics for measuring community policing efforts (see SARA Model – Scanning, Analysis, Response, Assessment). With the goal of solving the problem, the response must include a series of objectives (i.e., actions which if accomplished will contribute to solving the problem). The key is to establish each objective so that if it is accomplished, it will improve quality of life in some way while working to solve the problem.<sup>8182</sup> Incorporate these problem-solving metrics into annual performance appraisals.
- 21) Ensure community policing efforts are data-driven, and that information-sharing regularly occurs across units, programs, and officers.
- 22) Consider establishing public advisory committees.

## OVERSIGHT & ACCOUNTABILITY

- 23) Plan, track, assess, revise, and follow-up consistently on community events.
- 24) Hold supervisors and their officers accountable for the community policing and problem-solving metrics.
- 25) Provide transparency with the community when possible, regarding department data, critical incidents and BWC footage, complaints, and their outcomes, and the Citizen Police Review Board.

## DATA

- 26) Develop a data system to capture information about its community policing activities. Collect data including bias free policing metrics on street-level interactions with community members. An effective system would build upon OPD's current data collection and reporting on community policing.
- 27) Integrate community policing data into analytics platform.
- 28) Use community policing data to ensure OPD's activities are aligned and communicated to the public.
- 29) Standardize race and ethnicity data collection across all systems. Specifically, race and ethnicity should be collected separately, and race categories should be standardized across systems and avoid use of outdated terminology.
- 30) Collect data including bias free policing metrics on street-level interactions with community members.

## II. Ensure force used is only that which is objectively reasonable, necessary and proportional to the threat.

### RECOMMENDATIONS: USE OF FORCE

## POLICY

- 31) OPD should consider highlighting its use of force priorities by beginning the policy with a set of core principles that highlight OPD's priorities. These core principles will provide the foundation for the more detailed procedures and requirements in the body of the policy. While de-escalation should be incorporated throughout the policy, documenting that it's a core principle at the outset sends a clear message that all uses of force will be viewed through this lens.
- 32) OPD should develop separate weapon-specific policies, including for the use of ECDs and chemical spray.

<sup>81</sup> Alpert, G. P., Flynn, D., & Piquero, A. R. (2001). Effective community policing performance measures. *Justice Research and Policy*, 3(2), 79-94. <https://doi.org/10.3818/JRP.3.2.2001.79>

<sup>82</sup> <https://popcenter.asu.edu/>

- 33) OPD should improve the structure and format of the policy and ensure that the definitions are complete.
- 34) OPD should clarify who is authorized to use specific tactics and under what circumstances.
- 35) As discussed in more detail in the implementation and accountability sections below, OPD should also strengthen the use of force policy to incorporate a more robust force review process.

#### TRAINING

- 36) OPD should provide use of force training for all officers on the completion of all updates to the use of force policy.

#### IMPLEMENTATION

- 37) OPD should require officers to complete formal force statements.
- 38) OPD should develop a Force Investigation Team (FIT).

#### OVERSIGHT & ACCOUNTABILITY

- 39) OPD should create a Use of Force Review Board.
- 40) OPD should require random audits of officer's BWC footage.
- 41) OPD should audit its use of force practices for potential bias.

#### DATA

- 42) Leverage the ability of the BlueTeam platform to report data out in a dynamic manner.
- 43) Integrate use of force data into analytics platform.
- 44) Expand annual use of force report and include use of force data in the current open data program.
- 45) Provide a more in-depth analysis of OPD's use of force data in the annual report by adding, for example, a breakdown of the incidents by race, gender, and age of subjects.
- 46) Ensure use of force data is accessible to the public through its open data program.

### III. Model procedural justice in the internal investigations process.

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#### RECOMMENDATIONS: INTERNAL AFFAIRS

#### POLICY

- 47) OPD should clearly define in policy specific criteria for formal investigations, supervisory referrals, and general complaints.
- 48) OPD should include complaint types such as racial profiling, harassment, and excessive use of force as automatic formal investigations.
- 49) OPD should update its Mobile Video Recording Systems policy to require body worn cameras to be activated throughout the entire event in order to document clear verification that the event the citizen's complaint is based on is completely captured by the BWC to support the finding of Unfounded.

#### TRAINING

- 50) OPD should ensure specialized training and IA certification for all Internal Affairs Detectives.

#### IMPLEMENTATION

- 51) Ensure that the citizen complaint process is easily accessible to the public. Include creating a link on the OPD homepage, social media posts outlining the procedures, informational pamphlets in all OPD facilities accessible to the general public.
- 52) Require Internal Affairs to assign findings (outcomes or action taken) for supervisory referrals for tracking and analysis purposes.

- 53) Assign an additional IA Investigator specifically to manage supervisory referrals and general complaints. This investigator should be responsible for tracking and reporting of these complaint types.
- 54) Ensure complainants are informed about investigation assignment (formal, supervisory referral or general) and should document all contact.
- 55) Improve communication with the community regarding complaint status and outcomes and officer accountability efforts.
- 56) Provide community members with an initial notification of the decision to investigate their complaint, and provide regular updates during the complaint investigation, including a final notification of the outcome.
- 57) Consider discussing with the FOP agreed upon options to streamline the appeal/grievance procedure.

#### OVERSIGHT & ACCOUNTABILITY

- 58) Require supervisors to document the action they take in response to complaints considered supervisory referrals and monitor and analyze this data.
- 59) Regularly review and revise policy or provide training to correct any deficiencies discovered.
- 60) Conduct a complete analysis of Appeals/Grievances and Arbitration to look for trends that have resulted in changes to original discipline recommendations and arbitration decisions against the OPD.

#### CITIZEN POLICE REVIEW BOARD

- 61) Ensure the City of Orlando and OPD expands the role of the CPRB as a liaison to the community within the full scope of the Board's authority as outlined by City Ordinance.
- 62) Utilize the CPRB as a communication avenue to provide information to the community and build community trust.

### IV. Apply the least intrusive and most effective constitutional approaches to conducting and aggressively monitoring stops, searches, and arrests.

#### RECOMMENDATIONS: STOPS, SEARCHES & ARRESTS

#### POLICY

- 63) Develop operational policies based on the guiding principles for every basic enforcement action OPD takes including but not limited to: all stops, searches, and arrests, uses of force, engagement with the community, and investigative activities. Apply the least intrusive, most effective approaches to policies and practices.
- 64) Develop a set of policies concerning Fair and Impartial Policing that include guiding principles for all departmental operations to include: procedural justice, impartial policing, community policing, and de-escalation.
- 65) Update Policy 1140.6 Mobile Recordings Systems to require BWC uninterrupted activation for the totality of defined events.
- 66) Expand the data collection policies with respect to stops and searches so that data on all such incidents, rather than only those that originate with a traffic stop or directed by an investigation, is collected.

#### IMPLEMENTATION

- 67) OPD should require documentation of all Stop and Search types including all warrantless search types.
- 68) OPD should collect and analyze stop data to include: reason for stop; race/ethnicity; gender; subject type (should include: driver; passenger; pedestrian; suspicious person; complainant; and witness); search or pat down (should include: consent; reasonable suspicion; subject to arrest; and vehicle); outcome of search; and disposition/outcome of stop.

#### OVERSIGHT & ACCOUNTABILITY

- 69) OPD should conduct random audits of BWC and review against SSA documentation.

## DATA

- 70)** Conduct a complete analysis of arrest data against internal benchmarks for possible racially biased policing actions.
- 71)** Regularly report and analyze stop and search data to identify and monitor trends.

## V. Create and enhance partnerships to promote alternatives to incarceration.

### RECOMMENDATIONS: ALTERNATIVE RESPONSE

#### IMPLEMENTATION

- 72)** Develop telecommunication specific (8 hour-3 Days) CIT, or include telecommunications in 40-hour CIT.
- 73)** Prioritize response of CIT officers (under new model, not as it is today) to calls for service involving a mental health component.
- 74)** Develop a system for identifying mental health calls at 911 and at OPD (consider adding an alpha character to the clear code).
- 75)** Embed citizen facing social worker to divert non-emergency calls.
- 76)** Consider adding one additional team to the pilot and continue to monitor trends to inform further expansion.
- 77)** Consider adding one real time co-response team (models vary but can include pairing a clinician, paramedic, PEER {person with lived experience} with a soft uniform CIT officer, unmarked vehicle, position description co-developed, co-interviewed, co-housed).
- 78)** Consider adding one Justice Involved Case Management Team (1 clinician and 2-3 case managers to focus on proactive outreach to high frequency utilizers, warm hand-off post release from jail and from Baker Act hospitalizations for continuity of treatment).
- 79)** Consider adding one case manager inside the jail to cross check daily booking report and community mental health center database. This is important to expand data collection including what crimes are being committed (city ordinance, misdemeanor, felony), how long they are spending in the jail and at what cost, assist with continuity of medications inside the jail, coordinate court appearances and warm hand offs out of the jail. This data is extremely useful to expand jail diversion efforts. (See Appendix for more information)
- 80)** Consider hiring a data analyst, either internal or externally-contracted, such as with a local university.
- 81)** Develop and execute a public education campaign.

## VI. Create and operationalize an effective mental and behavioral services model tailored to specified needs.

### RECOMMENDATIONS: MENTAL AND BEHAVIORIAL HEALTH

#### POLICY

- 82)** Revise CIT policies significantly, including input from key city and community entities.
- 83)** Establish clear criteria for dispatch to identify these calls.
- 84)** Develop a protocol for telecommunications to know which officers are CIT certified, without having to request units over the air.

#### TRAINING

- 85)** Develop a CIT training strategy so implementation and budgeting plans can be established.

#### IMPLEMENTATION

- 86)** Develop a CIT strategy best suited for Orlando and OPD-Commander leadership, along with front line CIT team members and informed by the Mental Health Consortium.
- 87)** Establish a robust steering committee to include cross-discipline key strategic partnerships.
- 88)** Consider a specialized unit of voluntary CIT officers who would be utilized for higher level crisis calls and for follow up on high frequency first responder utilizers, if OPD moves to a mandatory CIT model.

- 89)** Develop a CIT coordinator position description, to include the process used in identifying voluntary CIT officers, plus adding considerations with rank, education, and experience.

## OVERSIGHT & ACCOUNTABILITY

- 90)** Develop a formal CIT report that includes: Demographics, Behavior Observed, If weapons were present (and what type), Whether or not officer is CIT, Disposition (resolved on scene, transported voluntary, Baker Act, Arrest), ~~and~~ Arrest type (city ordinance, misdemeanor, felony non-person, felony person), and Use of Force type.

## DATA

- 91)** Create or improve existing data collection measures to capture intervention used, officer, and individual data.  
**92)** Integrate crisis intervention data into analytics platform.  
**93)** Use crisis intervention data to identify high-risk individuals and understand how these calls are responded to  
**94)** Systemically track the deployment of CIT-trained officers so that the Department can ensure that the appropriate officers are deployed to crisis incidents, by expanding CAD event information using call type, unit type, and disposition. Alternatively, more robustly capture information on calls with people experiencing mental health crises through a separate data collection instrument either incorporated into the RMS or as a standalone.  
**95)** Determine and execute robust data collection both internally and externally relating to CIT.

## VII. Modernize technology, data collection and assessment tools.

### RECOMMENDATIONS: TECHNOLOGY, DATA COLLECTION & ASSESSMENT TOOLS

#### POLICY

- 96)** Enhance transparency by providing data on arrests, force, traffic stops, searches, and the accountability system.

#### TRAINING

- 97)** Provide data on training received to the public.

#### IMPLEMENTATION

- 98)** Examine why non-Hispanics Black individuals make up such a large share of those arrested.  
**99)** Collect information related to the charges associated with each arrest to allow for analysis of charges based on degree of discretion by the race and sex of arrested people.  
**100)** Record and collect data that will allow for more robust and accurate benchmarking to assess possible racial bias. Conduct additional analyses and investigation to understand the reasons behind observed racial disparities and proactively address them. This should include exploration of systemic concerns driven by policy or standard practice, as well as pragmatic approaches to addressing individual behavior.  
**101)** Ensure that all data systems include a field to collect ethnicity data and that officers are trained to collect this data.  
**102)** Refine and improve OPD's approach to stop data collection to provide more comprehensive and readily available data. Implement a dedicated traffic stops data collection system.  
**103)** Implement a centralized Management Analytics Platform. Strive to implement a centralized management analytics platform to improve access to data and communication throughout the Department (and especially with leadership).  
**104)** Use platform to aggregate reporting and reduce time spent doing routine analysis. Make the platform routinely available to all relevant personnel.  
**105)** Improve the current repository of Open Data. Expand OPD's data availability, and there are numerous cities with strong open data portals that could serve as exemplars for building upon OPD's current open data offering.  
**106)** Create an integrated platform to systematically report on management analytics.

- 107) Integrate data to enhance OPD Analytic capabilities. CID should integrate data from the RMS to regularly look at clearance rates and detective workload throughout OPD.
- 108) Have the Planning Unit build more sophisticated reporting mechanisms.

**VIII. Serve local youth and give them voice.**

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RECOMMENDATIONS: SCHOOL RESOURCE OFFICERS

POLICY

- 109) Create a School Resource Section policy that clearly outlines the mission and guiding principles of the School Resource Program.
- 110) Incorporate the language contained in the Agreements with Orange County Public Schools into the SRO Policy as a guiding principle
- 111) Review the School Resource Policy annually and update, as necessary.

TRAINING

- 112) Better collaborate with Orange County Public Schools to expand School Resource Section annual training requirements for officers and school personnel to include: Youth focused mental health training, Adolescent Development, School-Based Implicit Bias, and additional special needs training.

IMPLEMENTATION

- 113) Take steps in the School Resource Section to address public perception through community outreach efforts. This could include campus-based town hall style meetings in partnership with OCPS, social media efforts, and other outreach techniques.
- 114) Consider having the School Resource Section, in cooperation with OCPS, implement a Community Advisory Board comprised of students, SROs, teachers/administrators and parents to help facilitate the understanding of school-based policing model.

OVERSIGHT & ACCOUNTABILITY

- 115) Coordinate between all divisions providing youth related services under the guidance of OPD's Community Relations Division, including the NPU and the School Resource Section. Coordination will maximize the ability of OPD to provide services and resources to youth in the community.

DATA

- 116) Create a procedure for the School Resource Section to record and track all complaints.

**IX. Embrace Family, Parks & Recreation as essential service delivery partners.**

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RECOMMENDATIONS: FAMILIES, PARKS & RECREATION

IMPLEMENTATION

- 117) Ensure that OPD develop and sustain an ongoing collaboration with FPR staff to discuss avenues to strengthen the partnership between the Departments and improve youth outreach opportunities.
- 118) Implement or consider recommendations presented by the staff of the Families, Parks, and Recreation Department (see Appendix for additional details).

DATA

- 119) Conduct a detailed analysis of juvenile arrests and enforcement activities. Outcomes from this analysis should be used to guide any necessary policy and procedural changes.

**X. Implement a comprehensive recruitment and hiring strategy, reporting and assessment process.**

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RECOMMENDATIONS: RECRUITMENT & PROMOTIONS

POLICY

- 120) Develop the Recruitment SOP to foster and promote more of an emphasis on diversity recruitment efforts.
- 121) Create opportunities for more community input in the hiring/selection process (what they want to see in an officer) and highlight the activities in the new Annual report.

TRAINING

- 122) Provide training on EEOC and personnel practices to new Unit employees before they are transferred or within three months of their transfer.

IMPLEMENTATION

- 123) Add “Guardian-style” policing as more a part of OPD’s “Identity” in recruitment materials.

OVERSIGHT & ACCOUNTABILITY

- 124) Initiate a Recruitment Unit Annual Report to describe the efforts you make each year, provide data, and report on trends and outcomes.
- 125) Conduct annual adverse impact studies on the selection/hiring processes.

DATA

- 126) Develop the City’s website and police department website with more emphasis on recruitment.
- 127) Research Cloud-based systems (e.g., E-Soph) for collection and retention of background information and data. Integrate recruitment data into analytics platform.
- 128) Combine relevant recruitment data to evaluate recruitment trends and if milestones are met.
- 129) Create a formal structure whereby data from Neogov and data kept by OPD is combined to evaluate recruitment trends and ensure the Department is reaching its recruitment milestones.

**XI. Train personnel to support “guardian” style service delivery approach.**

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RECOMMENDATIONS: OFFICER TRAINING

POLICY

- 130) Incorporate de-escalation into the philosophy of the organization.

TRAINING

- 131) Continue OPD efforts to re-write de-escalation related curriculum to improved standards of how to understand and apply use of force options, emotional intelligence, empathy, procedural justice, power imbalances, serving your community, and de-escalation.
- 132) Employ source documents (policies, procedures, etc.) in curriculum design and development that are professionally written and clearly define the actions expected of officers (i.e. Response to Resistance Policy).
- 133) Incorporate de-escalation tactical techniques into the curriculum.
- 134) Create a more robust Annual Training Plan that addresses human relations training on an annual basis and ensures at least one human relations topic is taught each year.
- 135) Create community policing and engagement scenarios to train and test recruits on community policing and engagement.

## IMPLEMENTATION

- 136)** Adopt training constructs and use a problem-solving model (CAPRA, SARA, etc.) in orientation and in-service classes.
- 137)** Consider introducing training constructs cognizant of developing a "whole officer" and reinforcing teamwork and active bystandership as critical officer educational components to astutely point out OPD training is more than just tactics and firearms.
- 138)** Expand the orientation program and/or reprogram some of the psychomotor skills training into more human relations training, including scenarios such as procedural justice, fair and impartial policing, bias-free policing, cultural awareness and sensitivity, and community policing and engagement.
- 139)** Adopt a traffic stop format based upon the CAL-POST 8-step model<sup>83</sup> or a similar model to ensure the tenets of procedural justice and bias-free policing: voice, respect, neutrality, etc. are followed, and automatically embedded into the curriculum.
- 140)** Adopt the LEED format: listen, explain, equity, and dignity.
- 141)** Remove de-escalation scenarios from the Academy format of 10 scenarios back-to-back within 120 seconds in order to help recruit officers learn to slow-down tactically to potentially minimize use of force, and reduce the current format's focus on immediate action, which goes against the tenets of handling de-escalation.
- 142)** Modify reality-based scenarios to require recruits to slow down the situation and use de-escalation tactical techniques to increase the probability of using no force or the minimal amount of force necessary.
- 143)** Encourage supplemental resources for officers by expanding local co-responder (police officer and mental health practitioner) program, implementing a call-center where mental health professionals can give advice to field officers, and having OPD personnel work with mental health professionals to design plans to deal with persons who are constantly in mental health crisis and generate many calls for service.
- 144)** Create more scenarios (and testing protocols) on topics related to cultural sensitivity and bias free training, including empathy, emotional intelligence, procedural justice, police legitimacy, teaching a LEED format, implicit and explicit bias, officer wellness, power imbalances, serving your community, de-escalation, and communications skills
- 145)** Improve and maximize time spent on the topics of cultural sensitivity and bias-free policing by re-programming training curriculum (or add hours to it) to address more human relations training (cultural sensitivity and awareness, bias-free, procedural justice, fair and impartial policing, community policing, etc.).

## OVERSIGHT & ACCOUNTABILITY

- 146)** Ensure field instructors debrief and encourage the best tactic to handle de-escalation scenarios and best practices for desired OPD outcomes and tactics.

## DATA

- 147)** Integrate training data into an overall management analytics structure. This would free up resources currently used to generate reports and further support training delivery and attendance management.
- 148)** Consider providing training data to the public demonstrating the types of training received by officers, topics covered, and training time frames.

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<sup>83</sup> The California Commission on Peace Officer Standards and Training (CAL-POST) 8-step model is discussed in the following guide, Learning Domain 22: Vehicle Pullovers, v. 3.2:  
[https://post.ca.gov/portals/0/post\\_docs/basic\\_course\\_resources/workbooks/LD\\_22\\_V-3.2.pdf](https://post.ca.gov/portals/0/post_docs/basic_course_resources/workbooks/LD_22_V-3.2.pdf)

## **XII. Provide proactive and responsive support to promote and sustain a healthy workforce.**

### RECOMMENDATIONS: OFFICER WELLNESS

#### POLICY

- 149)** Develop a policy/SOP for officer wellness as indicated in the officer wellness strategic plan.
- 150)** Work with City HR to evaluate the well-researched 5-year officer assistance strategic plan.

#### IMPLEMENTATION

- 151)** Develop a position description for a wellness coordinator (sworn vs. civilian, or both) and hire (not union nor seniority driven) this coordinator.
- 152)** Research PEER programs.
- 153)** Dedicate equal resources to post major incident as preventive wellness.
- 154)** Research internal vs. external models of first responder treatment.
- 155)** Clarify role of chaplains and whether it would be appropriate to include some of them as part of an overall Officer Wellness Plan.
- 156)** Work with City HR to conduct a needs assessment related to officer wellness.
- 157)** Work with City HR to evaluate external vs. internal clinical models for officer mental health services within the City of Orlando, OPD, or outside services and resources for officers.

## **XIII. Embrace an early intervention program to support employee retention.**

### RECOMMENDATIONS: EARLY INTERVENTION PROGRAM

#### POLICY

- 158)** Revise the EI Program 2207.3 policy to describe the nature and purpose of the EI program, including that it is non-disciplinary, at the beginning of the policy. Ensure that it has a balanced focus of identifying and addressing at-risk behavior and officer mental health and wellness.

#### TRAINING

- 159)** Ensure communication and training of the EI Program is provided department wide.
- 160)** Consider holding a separate training for supervisors and managers regarding their role and responsibility in the review of EI alerts and determination of appropriate interventions and post-intervention monitoring.

#### IMPLEMENTATION

- 161)** Require documentation that demonstrates interventions provided to officers were completed, and when post-intervention monitoring occurs, require documentation of that process and the outcome. Include a statement in the EI program process and supervisor's report stating this requirement to document intervention and post-intervention monitoring follow-up, and additional follow-up with internal affairs for accountability.
- 162)** Allow the new EI Pro system to use tasks function to remind supervisors and managers to follow-up on training, counseling, post-intervention monitoring, etc. after varying time periods depending on which outcome selected (e.g., training 30-45 days, post-intervention monitoring 90 days, etc.).
- 163)** Consider including additional performance indicators in the EI program such as vehicle collisions, pursuits, traffic and pedestrian stops, arrests, firearm discharges, domestic violence issues including officer subject to a restraining order, failure to appear in court, sick leave, mandatory counseling, etc. OPD needs to determine how many, and which performance indicators will suit their specific needs. Additional performance indicators may include searches and seizures, training records, transfers, secondary employment, and officer injury. Again, while still recognizing that the accuracy and timeliness of EI data are key to the program's overall success.

- 164) Consider including positive performance indicators in the EI program along with the adverse events, to achieve a balance, so supervisors have a holistic view of an officers' attitude, behavior, and work history.
- 165) Consider including a combination threshold that creates an EI alert when a certain number of any of the performance indicators occurred within a specified time frame. OPD has indicated they are currently considering including a combination threshold when the transition from AIM to EI Pro is complete.

#### OVERSIGHT & ACCOUNTABILITY

- 166) Require supervisors to review officers' body-worn camera footage for the incident(s) that triggered the EI alert to determine if issues or patterns and trends are occurring.
- 167) Require follow-up to be documented by supervisor based on the EI Pro task alert and internal affairs can ensure completion and follow-up automatically without burden to them.
- 168) Conduct quarterly command staff meetings to review EI officers to identify high performers, interventions taken, and opportunities for learning and improving this EI program and the review and accountability process.
- 169) Require documentation that demonstrates the Training/Accreditation and Inspections Section Commander conducted their reviews for any department-wide training needs and any determinations that were made from this process.
- 170) Require documentation that demonstrates the annual review of the EI program by the Internal Affairs Manager for effectiveness and appropriate changes in the policy and the program occurred, and any determinations that were made from this process.

#### XIV. Leverage communications services to enhance operational efficiency, and employee and community safety.

##### RECOMMENDATIONS: EMERGENCY COMMUNICATIONS & DISPATCH

#### TRAINING

- 171) Develop telecommunication specific (8 hour-3 Days) CIT, or include telecommunications in 40-hour CIT.

#### IMPLEMENTATION

- 172) Institute hiring processes in line with recommended best practices of the Association of Public-Safety Communications Officials (APCO) International and the Commission on Accreditation for Law Enforcement Agencies (CALEA) to include pre-employment psychological examinations for ECS new hires.
- 173) Conduct a complete workload analysis and staffing study to determine if reliance on overtime to maintain minimum staffing levels continues to be efficient and effective.
- 174) Consider reinstating over-hire authority to allow for new-hire training and reduce the reliance on overtime to maintain minimum staffing levels.
- 175) Consider and implement all recommendations outlined under the Critical Incident Response and Alternative Response Program Assessment Section to include: include trained mental health clinicians as Emergency Communications Section staff members for mental health calls; and provide mental health – crisis response training annually for all ECS personnel.
- 176) Ensure that specific consideration is given to the unique environment and issues encountered by ECS personnel under the Department's Employee Assistance Program and Wellness Plan.

#### XV. Understand the community's perception of the value OPD services provide.

##### RECOMMENDATIONS: TARGETED CUSTOMER EXPERIENCE SURVEYS

#### POLICY

- 177) Ensure follow-up with respondents within 24 hours of the receipt of any response by developing written protocol for managing these responses with contingencies for staff availability. There is an opportunity for the survey respondents to request follow-up from an OPD supervisor, and it is imperative that the City has a plan in place for staff to handle these requests.

## IMPLEMENTATION

- 178)** Meet with the police unions to discuss the goals and design of the survey. The City met with the Fraternal Order of Police (FOP) in January 2021. After the City assured the FOP's concerns that survey responses could not be used to initiate discipline against officers, the FOP supported the overall goals of these targeted community surveys.
- 179)** Include an introductory sentence and demographic questions in these targeted surveys. Have an introductory sentence that outlines for the potential respondent the approximate time it takes to complete the survey and/or the number of questions on the survey. While the City accepted an earlier recommendation to include demographic questions in the survey, they did not accept specific demographic questions in keeping with the most current standards in survey language around gender identity and racial/ethnic identity. For example, using the phrase "gender identity" rather than simply "gender," and creating categories beyond "male" and "female," including "non-binary." Based on an earlier recommendation, the City updated the survey language to allow community members to complete the survey regardless of whether they had an interaction with police recently.
- 180)** Revise the survey language to align more with the tenets of procedural justice and police legitimacy. In future targeted community surveys, consider including questions that align with the tenets of procedural justice and police legitimacy, such as asking community members about their interaction with OPD and feeling respected, listened to, whether the matter was taken seriously, whether the situation was explained to them, and whether the decision was fair.
- 181)** Explore ways in which community members may be able to stay anonymous. One method may include creating a de-identified table to link to survey responses by collapsing as much data as possible (e.g., grouping ages, referencing neighborhood rather than address, etc.), to help protect individuals' identity. As an alternative, the City could explore the parameters of research conducted with higher education institutions that have Institutional Review Board (IRBs). If the City cannot guarantee anonymity with this survey, they may consider partnering with a college or university.
- 182)** Consider creating these targeted community surveys in multiple languages. The City plans to consider this after the initial rollout.
- 183)** Pilot any new or revised future targeted community surveys prior to rollout to ensure all potential issues are identified and resolved before full distribution. While an earlier recommendation for piloting these surveys with an internal City of Orlando group that had yet to see these surveys was not conducted, consider this process for any new or revised future surveys.
- 184)** Begin reviewing survey responses as soon as they are received to identify any unforeseen issues, such as unclear wording or questions that are consistently skipped.
- 185)** Consider the following approaches to improve response rates:
- Change the look of the postcard solicitation.
  - Change to language on the postcard solicitation.
  - Test different versions of postcard look and language to see if different styles had higher response rates.
  - Increase the number of individuals who are selected to receive a postcard solicitation.
  - Work with media to advertise the opportunity to participate in the survey.
  - Work on anonymity issues (discussed in an earlier recommendation) so that the solicitation could include language about privacy and confidentiality.
- 186)** Consider using survey findings to talk to officers about how to better communicate with victims. In the case of vehicle burglaries, the officer often told the victims they would be contacted by a detective, which never happened. This may be seen as "passing the buck" in order not to have to be honest with the victim (that their items will not likely be recovered). Or officers may feel apathetic after having many of these types of incidents that do not have a positive outcome. These types of survey findings may be beneficial for addressing officer communication and how to improve police-community interactions.

## XVI. Leverage communication capabilities to advance 21<sup>st</sup> century policing.

### RECOMMENDATIONS: COMMUNICATIONS ASSESSMENT (PIO)

## POLICY

- 187)** Further develop a collaborative written communication strategy with the City's Office of Communications.
- 188)** Include key messages to blend community priorities with the City's goals and OPD efforts to carry them out.

- 189)** Create a written protocol for handling the external and internal messaging during critical incidents, including officer-involved shootings and incidents captured on body-worn camera video.
- 190)** Develop a crisis communication plan to include a consistent and transparent process for releasing information.
- 191)** Consider a written protocol for how watch commanders should handle after-hours media inquiries to ensure consistent handling of public information.
- 192)** Establish protocol for consistent information-sharing and releasing body-worn camera footage following critical incidents.
- 193)** Consider establishing a formal protocol that establishes a pipeline of social media content development by the commissioner liaison officers to the Public Information Office.

## TRAINING

- 194)** Train either specific watch commanders or select supervisors as back-up public information officers to prevent burn-out in a job assisting the media, which works around the clock, seven days a week.

## IMPLEMENTATION

- 195)** Expand outreach to marginalized community members.
- 196)** Consider having the Public Information Team meet weekly with the mayor's press secretary, the mayor's public safety advisor, and the City of Orlando director of community engagement and outreach.
- 197)** Consider having the media relations manager maintain a monthly media calendar that is discussed at the weekly city communications meeting.
- 198)** Consider creating a videographer/editor position that will provide the media relations manager more time to engage in long-range strategic planning.
- 199)** Consider having the media relations manager attend the chief's staff meetings for a broader understanding of the agency and to share a different perspective with the policymakers that is more in line with the community perspective.
- 200)** Consider having the Public Information Office receive internal crime bulletins to be aware of cases that could generate media coverage of the agency. Early notification will allow the media relations manager to plan proactively.
- 201)** Streamline the video preparation process for the release of surveillance videos to assist with generating tips and combating crime.
- 202)** Explore purchasing a video downloading software so that the Criminal Investigation's Division can quickly convert videos to share with fellow officers and the public.
- 203)** Consider purchasing a closed captioning subscription.
- 204)** Ensure the media relations and social media duties are both assigned to the Public Information Office to ensure the messaging is coordinated and consistent.
- 205)** Consider ensuring the chief and media relations manager discuss the case before the media briefing to ensure the chief is aware of community concerns and questions about the incident.
- 206)** Consider having the member of the Public Information Office who responds to a scene draft a detailed news release after live-streaming the briefing.
- 207)** Consider archiving news releases on the City's website so that an account of what took place is available to the community and the next shift of media personnel.
- 208)** Consider having OPD solicit feedback from community members to learn community expectations on the release of body-worn camera video.
- 209)** Expand the media distribution list to include hyper-local media such as bloggers and other nontraditional online news services that target disenfranchised community members.
- 210)** Review OPD's online portal systems and the staffing that supports this to determine if it can speed up the release of public records to working media.
- 211)** Establish a system within OPD that involves more than one person and provides a consistent response time to community inquiries during business hours.
- 212)** Consider embedding Twitter and a link to news releases on OPD's homepage.
- 213)** Standardize the commissioner liaison officers' duties, goals, and expectations for each district. While these should be customized to each district, there should be overarching strategies that apply to all districts. This is important for measuring success, sharing it with community, and keeping officers focused on the priorities and motivated.

- 214)** Have the liaison officers use an information-sharing platform for tracking complaints, efforts to resolve community issues, crime prevention efforts, and community outreach that the supervisors from each district and the Public Information Office can access.
- 215)** Hold a monthly meeting between the commissioner liaison officers and the Public Information Office to formalize the flow of information between these two units. This will have multiple purposes and benefits.

## DATA

- 216)** Look for ways to simplify navigation on OPD's general open data portal to make the agency and data more accessible.